

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6553 of 2020

1. Dharendra Prasad Yadav, Son of Mahendra Narayan Yadav, Resident of Village - Haripur Kala Tola Rampur, Ward No. 6, P.S. Murliganj Distt. Madhepura. Experience as Instructor from 1994-98.
2. Nand Kishor Suman, Son of Bijendra Prasad Yadav, Resident of Village - Haripur Kala Tola Rampur Ward No. 6, P.S. Murliganj Distt. Madhepura.
3. Binod Kumar, son of Duwalal Yadav, Resident of Village Tinkonma H- Kala P.S. Murliganj Distt. Madhepura, Experience as Instructor from 1994-98.
4. Kali Ram, Son of Late Nageshwar Ram Resident of Village Chandpur Bhagaha, P.S. Janki Nagar Distt. Purnea, Experience as Instructor from 1989-92.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary Department of Personnel and Administrative Reforms Govt. of Bihar, Patna.
4. The District Education Officer, Purnea.
5. The District Education Officer Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand
For the Respondent/s : Mr. Jitendra Kumar Roy1 (Sc13)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 17-12-2021

Heard learned counsel for the parties.

2. In the instant petition, the petitioners have prayed for the following reliefs:

A) For issuance of an appropriate writ/orders, directions specially in the nature of Mandamus directing the respondents authority to absorb the petitioners on the post of Class III to Class IV under the employment of State Govt. as the petitioner is ex-instructors of non for education including the other several rounds, respondents authorities have already absorbed the non formal supervision class III post in the light of order passed by Hon'ble Court.



B) For issuance of any appropriate writ(s) rules or directions especially in the nature of Mandamus direction the respondents given a similar situated as the case of other several similar situated has been considered by this Hon'ble Court as well as the Hon'ble Apex Court.

C) For issuance of any appropriate writ(s) rules or direction this Hon'ble Court may found fit and proper to the facts and circumstances of this case as well as for which the case petitioner may be found entitled their.”

3. Short question for consideration in the present writ petition is whether the petitioners are entitled to be absorbed against any Class-III or Class-IV post in the State Government or not. Such entitlement is with reference to the fact that they were formally working as Instructors.

4. The grievance of the petitioners shall be redressed by the concerned respondent in passing a speaking order as to whether the petitioners are entitled or not within a period of three months from the date of receipt of copy of this order and the copy of the order shall be communicated to the petitioners at the earliest.

5. The petition stands disposed of.

(P. B. Bajanthri, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.12.2021
Transmission Date	NA

