

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.396 of 2020

1. Kumar Abhisek, son of Late Rajiv Ranjan Singh, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
2. Kumar Rahul, son of Late Ganesh Prasad Jha, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
3. Rajiv Kumar Ranjan, son of Late Deep Narayan Modi, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
4. Prakash Kumar, son of Late Rajendra Prasad Bhagat, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
5. Md. Faique, son of Late Kamaluddin, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
6. Prabhash Kumar, son of Late Sardari Mandal, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
7. Md. Shahin Zafar, son of Late Md. Jafar Ali, working as Clerk in Zila School, at and P.S. and District- Bhagalpur.
8. Devendra Kumar Thakur, son of Late Subodh Thakur, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
9. Kiran Dwiz, wife of Om Prakash Dwiz, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
10. Md. Absar Alam, son of Late Mustakin Ahmad, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
11. Binit Kumar, son of Late Surendra Prasad Gupta, working as clerk in PTEC Nagarpara, at and P.S. and District- Bhagalpur.
12. Amit Kumar Pandey, son of Raghubir Pandey, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
13. Shashi Kumar, son of Late Choudhary Mandal, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
14. Deepak Kumar Singh, son of Late Kumar Ram naresh working as clerk in DEO Office at and P.S. and District- Bhagalpur.
15. Shankar Kumar, son of Late Mangla Nand Singh, working as clerk in PTEC Dayat, at and P.S. and District- Bhagalpur.
16. Pritam Kumar, son of Late Ganesh Tatwa, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
17. Ashish Kumar Choudhary, son of Late Amarnath Choudhary, working as clerk in PTEC Dayat, at and P.S. and District- Bhagalpur.
18. Sandeep Kumar, son of Late Vikash Prasad Ram, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
19. Manish Kumar, son of Late Maheshwar Prasad Yadav, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
20. Sanjay Kumar Mandal, son of Late Dwarka Prasad Mandal, working as clerk in DEO Office at and P.S. and District- Bhagalpur.



21. Md. Ujair Ahmad, son of Late Jubair Ahmad, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
22. Pawan Kumar Jha, son of Late Dukhamochan Jha Azad, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
23. Md. Belal Ahmad, son of Late Abdul Jalil Ahmad, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
24. Mukesh Kumar, son of Late Aavdhesh Kumar Sinha, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
25. Gopal Kumar Mishra, son of Late Gaurishankar Mishra, working as clerk in R.D.D.E. Office, at and P.S. and District- Bhagalpur.
26. Rakesh Ranjan, son of Kamleshwari Prasad, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
27. Rajiv Kumar Paswan, son of Late Ajeet Paswan, working as clerk in R.D.D.E. Office, Bhagalpur, at and P.S. and District- Bhagalpur.
28. Shailu Anand, son of Late Jagdish Dev, working as clerk in R.D.D.E. Office, at and P.S. and District- Bhagalpur.
29. Raghukul Tilak, son of Late Vedanand Kumar, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
30. Pankaj Kumar, son of Late Mahanth Thakur, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
31. Gautam Kumar, son of Late Achutanand Roy, working as clerk in Government Sanskrit school, at and P.S. and District- Bhagalpur.
32. Md. Abuzafar Alam, son of Late Israfil Ali, working as clerk in PTEC Dayat, at and P.S. and District- Banka.
33. Sima Devi, wife of Late Kapildev Gupta, working as clerk in DEO Office, at and P.S. and District- Banka.
34. Bijay Shankar Prasad Sinha, son of Late Dinesh Mandal, working as clerk in DEO Office at and P.S. and District- Banka.
35. Gautam Kumar, son of Late Satya Narayan Singh, working as clerk in DEO Office at and P.S. and District- Banka.
36. Manish Kumar, son of Late Ram Narayan Choudhary, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
37. Vedanand Singh, son of Late Gupteshwar Prasad Singh, working as clerk in DEO Office at and P.S. and District- Banka.
38. Md. Zeyayul Haque, son of Late Anul Haque, working as clerk in DEO Office at and P.S. and District- Banka.
39. Shishir Kumar Jha, son of Late Jitendra Jha, working as clerk in DEO Office at and P.S. and District- Banka.
40. Santosh Kumar Suman, son of Late Nawal Kishor Yadav, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
41. Ramanuj Singh, son of Late Ram Jyotish Prasad Singh, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
42. Radha Krishna Jha, son of Late Navin Chandra Jha, working as clerk in



Office of DEO, at and P.S. and District- Bhagalpur.

43. Narendra Kumar, son of Late Bishnudeo Mandal, working as clerk in DEO Office at and P.S. and District- Bhagalpur.
44. Prem Shankar Jha, son of Late Sadanand Jha, working as clerk in PTEC Phulwaria, at and P.S. and District- Bhagalpur.
45. Ravi Kumar, son of Late Sitaram Mandal, working as clerk in PTEC Phulwaria, at and P.S. and District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director (Secondary Education) Govt. of Bihar, Patna.
2. The Director, Secondary Education, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education, Bhagalpur.
4. The District Education Officer, Bhagalpur.
5. The District Education Officer, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Singh, Advocate
For the Respondent/s : Mr. AC to AAG-15

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 25-03-2021 A counter affidavit has been filed on behalf of respondent nos. 1 and 2, which is taken on record.

Heard Mr. Amaresh Kumar Singh, learned counsel for the petitioners and the respondents.

Mr. Amaresh Kumar Singh, learned counsel for the petitioners has placed reliance on the order of this Court dated 27.02.2020 passed in C.W.J.C. No. 4105 of 2020.

In order to maintain consistency, the writ application is disposed of in similar terms of the petitioners of C.W.J.C. No. 4105 of 2020 disposed of on 27.02.2020. Order dated



27.02.2020 is quoted herein below for ready reference:

“The issue raised in the present writ application is no more res integra. The matter was decided by this Court in L.P.A. No. 167 of 2016 and following the decision in the aforesaid appeal several writ petitions have been disposed of.

Learned counsel for the petitioner submits that the present writ petition may also be disposed of in the same terms.

The relevant part of the order dated 10.12.2019 passed in CWJC No. 23243 of 2019 is quoted below for ready reference:-

“This writ application is accordingly disposed of with the same observations and directions as present in the aforesaid orders dated 03.10.2018 in CWJC No. 17151 of 2018 and 23.06.2017 in LPA No.167 of 2016. Consequently, it is directed that the petitioners shall be paid the benefits in the scale of Rs.4000-6000 with retrospective effect from the dates of their respective appointment. As observed in the Division Bench decision in LPA No. 167 of 2016, it is observed that the arrears of the petitioners shall be granted with effect from the date they filed the writ application before this Court on 23.11.2019.”

(Anil Kumar Upadhyay, J)

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