

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6586 of 2021

1. Mayanand Prasad Son of Dayanand Yadav, Resident of Mohalla-Chhapki Parri, Near Eidgah, Road No. 9, Laxmisagar, P.S.-Darbhanga Sadar, Block-Darbhangha Sadar, District-Darbhangha, presently posted as Assistant Teacher at Govt. P.S. Mohanbadhiyam, Block-Pandaul, District-Madhubani.
2. Om Prakash Yadav, Son of Late Satya Narayan Prasad Yadav, Resident of Village Inarba, P.O.-Jageshwar Sthan, P.S.-Phulparas, Block-Ghoghardiha, District-Madhubani, Presently posted as Assistant Teacher at Govt. M.S. Chakdah, Block-Rajnagar, District-Madhubani.
3. Modussir Hussain, Son of Late Aatur Rahman, Resident of Village Sima, Ward No. 01, Near Eidgah, P.O.-Narpatinagar, P.S.-Sakari, Block-Pandaul, District-Madhubani, presently posted as Assistant Teacher at Govt. P.s. Hati (Mokrapur), Block-Pandaul, District-Madhubani.
4. Yugesh Prasad Mandal, Son of Late Bhola Prasad Mandal, Resident of Village Nayanagar, Rani Diyara, P.O.-Kisandaspur, P.S.-Budhchak, Block-Kahalgaoon, District-Bhagalpur, Presently posted as Assistant Teacher at Govt. P.S. Dhanushi, Block-Pandaul, District-Madhubani.
5. Harekrishna Yadav, Son of Late Sone Lal Yadav, Resident of Village-Hati Narpati, P.O.-Narpatinagar, P.S. Sakari, Block-Pandaul, District-Madhubani, presently posted as Assistant Teacher at Govt. M.S. Mohanbadhiyam, Block-Pandaul, District-Madhubani.
6. Vijay Kumar Prabhakar, son of Late Jitan Paswan, Resident of Village-Kanakpur, P.O.-Narpatinagar, P.S.-Sakari, Block-Pandaul, District-Madhubani, presently posted as Assistant Teacher at Govt. M.S. Mohanbadhiyam, Block-Pandaul, District-Madhubani.
7. Abdul Jabbar, Son of Late Md. Shamsuddin, Resident of Village Raje, Ward No. 10, P.O. Manigachhi, P.S.-Manigachhi, Block-Manigachhi, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Dhaus (SC), Block-Pandaul, District-Madhubani.
8. Bhim Bhandari, Son of Late Ramdeo Bhandari, Resident of Stadium Road, Chitragupta Colony, Ward No. 20, P.O.-Madhubani, P.S.-Madhubani Town, Block-Rahika, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Shripur, Hati, Block-Pandaul, District-Madhubani.
9. Birendra Kumar Jha, Son of Late Bidyanath Jha, Resident of Rajkumarganj, C/o-Gobind Chaudhary, Lalbagh, P.O.-Lalbagh, P.S.-LNMU Campus Darbhanga, Block-Sadar Darbhanga, District-Darbhangha, Presently posted as Assistant Teacher at Govt. UMS Kanakpur, Block-Pandaul, District-Madhubani.
10. Shiv Shankar Paswan, Son of Late Jhameli Paswan, Resident of Village Bikrapur, Balia, P.O.-Sakari, P.S. -Sakari, Block-Pandaul, District-Madhubani, presently posted as Assistant Teacher at Govt. Girls M.S. Pandaul, Block-Pandaul, District-Madhubani.
11. Lalit Kamti, Son of Late Sonai Kamti, Resident of Village Bghant, P.O.-Manigachhi, P.S.-Manigachhi, Block-Manigachhi, District-Darbhangha, presently posted as Assistant Teacher at Govt. P.S. Jalahtol, Block-Pandaul,



District-Madhubani.

12. Md. Nasim Ahmad, Son of Md. Monif, Resident of Village Chhaurahi, Ward No. 10, P.O.-Babubarhi, P.S.-Babubarhi, Block-Babubarhi, District-Madhubani, presently posted as Assistant Teacher at Govt. P. Maktab Dalokhar (S) Ladania, Block-Ladaniya, District-Madhubani.
13. Md. Zafirul Hassan, Son of Md. Monif, Resident of Village Chhaurahi, Ward No. 10, P.O.-Babubarhi, P.S.-Babubarhi, Block-Babubarhi, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Islampur, Ladaniya, Block-Ladaniya, District-Madhubani.
14. Abdur Rahman, Son of Abdul Aziz, Resident of Village Padma, Ward No. 06, P.O.-Padma, P.S.-Ladaniya, Block-Ladaniya, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Bisharia, Block-Ladaniya, District-Madhubani.
15. Anjani Kumar, Son of Laxman Thakur, Resident of Gadiyani Chowk, Bramhstahn, Ward NO. 10, P.O.-Madhubani, P.S. Madhubani, Block-Rahika, District-Madhubani, Presently posted as Assistant Teacher at Govt. P.S. Kakna Charwaha, Block-Pandaul, District-Madhubani.
16. Ashok Kumar, son of Prakash Raut, Resident of Ram Chowk, Kantahi, Ward No. 11, P.O.-Madhubani, P.S. Madhubani, Block-Pandaul, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Kakna Charwaha, Block-Pandaul, District-Madhubani.
17. Ranjit Kumar Mahto, Son of Rameshwar Mahto, Resident of Mithila Pustak Kendra, Kotwali Chowk, Ward No. 26, P.O.-Bhauara, P.S.-Madhubani Town, Block-Rahika, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Shiripur Hati, Block-Pandaul, District-Madhubani.
18. Kailash Prasad Mandal, Son of Rameshwar Prasad Mandal, Resident of Village-Ranidiyara, P.O.-Ranidiyara, P.S.-Peerpanti, Block-Peerpanti, District-Bhagalpur, presently posted as Assistant Teacher at Govt. Bharia Bishanpur, Navtoli, Block-Rajnagar, District-Madhubani.
19. Binod Kumar Sahu, Son of Late Ramlakhan Sahu, Resident of Village Arghaba, P.O.-Kamalpur, P.S.-Basopatti, Block-Basopatti, District-Madhubani, Presently posted as Assistant Teacher at Govt. P.S. Nazirpur (Girls), Block-Rahika, District-Madhubani.
20. Ashok Kumar Mandal, Son of Late Deo Narayan Mandal, Resident of Village Madhurpatti, P.O.-Balaur, P.S.-Gayghat, Block-Gayghat, District-Muzaffarpur, presently posted as Assistant Teacher at Govt. P.S. Gangapur, Block-Pandaul, District-Madhubani.
21. Md. Sajjad Haidar, Son of Late Abdul Majid Ansari, Resident of Village Barhara, Ward No. 09, P.O.-Barhara, P.S.-Babubarhi, Block-Babubarhi, District-Madhubani, presently posted as Assistant Teacher at Govt. P. Maktab Bhanpur, Babubarhi, Block-Babubarhi, District-Madhubani.
22. Ramashish Kamat, Son of Shivcharan Kamat, Resident of Village-Bardaha, Ward No. 02, P.O.-Baidaya, P.S.-Babubarhi, Block-Babubarhi, District-Madhubani, Presently posted as Assistant Teacher at Govt. M.S. Moglaha, Block-Babubarhi, District-Madhubani.
23. Kulanand Chaudhary, Son of Madhury Chaudhary, Resident of Village Dhakjari, Ward No. 10, P.O.-Andhra Tharhi, P.S.-Andhra Tharhi, Block-



- Andhra Tharhi, District-Madhubani, presently posted as Assistant Teacher at Govt. UMS Gaur Andhra, Block-Andhra Tharhi, District-Madhubani.
24. Singheshwar Bhardari, Son of Sridhar Bhandari, Resident of Village Dhakjari, ward No. 09, P.O.-Andhra Tharhi, P.S.-Andhra Tharhi, Block-Andhra Tharhi, District-Madhubani, presently posted as Assistant Teacher at Govt. M.S. Andhra Bazar, Block-Andhra Tharhi, District-Madhubani.
 25. Sanjeev Kumar Choudhary, Son of Chhattar Choudhary, Resident of Village Andhra, P.O.-Andhra Tharhi, P.S.-Andhra Tharhi, Block-Andhra Tharhi, District-Madhubani, Presently posted as Assistant Teacher at Govt. UMS Dumara (Hindi), Block-Andhra Tharhi, District-Madhubani.
 26. Shiv Shankar Choudhary, Son of Chandeshwar Choudhary, Resident of Village Gaur Andhra, P.O. Andhra Tharhi, P.S.-Rudrapur, Block-Andhra Tharhi, District-Madhubani, Presently posted as Assistant Teacher in Govt. UMS Karnpur, Block-Andhra Tharhi, District-Madhubani.
 27. Md. Kafeel Ahmad, Son of Late Md. Muslim, Resident of Village Jiraul, P.O.-Jiraul, P.S.-Khirhar, Block-Harlakhi, District-Madhubani, Presently posted as Assistant Teacher at Govt. P.S. Chandan Kasera, Basopatti, Block-Basopatti, District-Madhubani.
 28. Ashok Kumar Paswan, Son of Sri Ram Paswan, Resident of Village Phulparas, P.O.-Phulparas, P.S.-Phulparas, Block-Phulparas, District-Madhubani, presently posted as Assistant Teacher at Govt. UMS Narahia Bazar, Block-Laukhi, District-Madhubani.
 29. Ajay Kumar Paswan, Son of Late Janak Paswan, Resident of Village Ekthatha, Ward No. 05, P.O.-Ekthatha, P.S.-Khutauna, Block-Khutauna, District-Madhubani, Presently posted as Assistant Teacher at Govt. P.S. Jhanjhapatti Doman, Block-Khutauna, District-Madhubani.
 30. Md. Gayasuddin, Son of Md. Ziyauddin, Resident of Gidarganj, P.S.-, Block-, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Madna Urdu, Block-Andhra Tharhi, District-Madhubani.
 31. Sanjiv Kumar Jha, Son of Pravash Narayan Jha, Resident of Sarara, P.O.-Madna (Madneshwarsthan), P.S. Babubarhi, Block-Babubarhi, District-Madhubani, presently posted as Assistant Teacher at Govt. UMS, Kolhua, Block-Andhra Tharhi, District-Madhubani.
 32. Manoj Kumar, Son of Late Anant Lal Mishra, Resident of Kalyanpur Chowk, P.O.-Kalyanpur, P.S.-Kalyanpur, Block-Kalyanpur, District-Samastipur, Presently posted as Assistant Teacher at Govt. P.S. Kanka, Block-Pandaul, District-Madhubani.
 33. Md. Fakhruddin, Son of Late Ehsanul Haque, Resident of Sugauna, P.O. Rajnagar, P.S. Rajnagar, Block-Rajnagar, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Marth Khurd Khalla, Block-Babubarhi, District-Madhubani.
 34. Md. Naushad Alam, Son of Abdul Gaffur, Resident of Village Basha, 07, P.O.-Barhara, P.S.-Babubarhi, Block-Babubarhi, District-Madhubani, presently posted as Assistant Teacher at Govt. P. Maktab Agari, Block-Babubarhi, District-Madhubani.
 35. Ram Vinod Kumar Singh, Son of Mishri Lal Singh, Resident of Kasma Marar, P.O.-Kasma Marar, P.S.-Khajauli, Block-Khajauli, District-



- Madhubani, presently posted as Assistant Teacher at Govt. P.S. Beldarhi, Block-Babubarhi, District-Madhubani.
36. Md. Shamsul Arfeen, Son of Md. Ali Akbar, Resident of Mohalla Manihar, Bhouwara, P.O.-Bhouwara, P.S.-P.S. Madhubani Town, Block-Rahika, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Bhouwara, Morcha, Block-Rahika, District-Madhubani.
 37. Dharendra Kumar, Son of Upendra Yadav, Resident of Chhapradhi, P.O.-Kaudh, P.S.-Khajauli, Block-Khajauli, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Bhisatol, Block-Jaynagar, District-Madhubani.
 38. Deepak Kumar Singh, Son of Late Hriday Narayan Singh, Resident of Jhanjharpur, P.O.-Jhanjharpur, P.S.-Jhanjharpur, Block-Jhanjharpur, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Middle, Block-Jhanjharpur, District-Madhubani.
 39. Pankaj Kumar Chaudhary, Son of Laxman Chaudhary, Resident of Chakdah, P.O.-Madhubani, P.S.-Rajnagar, Block-Rahika, District-Madhubani, presently posted as Assistant Teacher at Govt. Rambag, Block-Pandaul, District-Madhubani.
 40. Md. Mahtab Alam, Son of Late Md. Wakil Ansari, Resident of Village Behta, P.O. -Benipatti, P.S.-Benipatti, Block-Benipatti, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Girl, Behta, Block-Benipatti, District-Madhubani.
 41. Sujit Kumar, Son of Sri Umesh Chaudhary, Resident of village Behta, P.O.-Behta, P.S.-Choraut, Block-Choraut, District-Sitamarhi, presently posted as Assistant Teacher at Govt. M.S. Sujatpur, Madhwapur, District-Madhubani.
 42. Bishnu Deo Bihari, Son of Late Ram Ratan Ram, Resident of Behat, P.O.-Behat, P.S.-Lakhanpur, Block-Lakhanpur, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Adalpur (Charbaha) Block-Lakhanpur, District-Madhubani.
 43. Bharat Bhushan Jha, Son of Late Sushil Kumar Jha, Resident of Jhitaki, P.O.-Bangama, P.S.-Laukahi, Block-Laukahi, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Hirapatti, Block-Laukahi, District-Madhubani.
 44. Gangesh Jha, Son of Late Yogendra Jha, Resident of Village Satghara, P.O.-Satghara, P.S.-Babubarhi, Block-Babubarhi, District-Madhubani, presently posted as Assistant Teacher at Govt. P.S. Biduliya, Block-Andhra Tharhi, District-Madhubani.
 45. Fakir Thakur, Son of Late Vasudeo Thakur, Resident of Village-Mahrail, Ward No. 1, P.O.-Mahrail, P.S.-Rudrapur, Block-Andhra Tharhi, District-Madhubani, presently posted as Assistant Teacher at Govt. M.S. Mahrail, Block-Andhra Tharhi, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education Government of Bihar, Vikas Bhawan, Patna.
2. The Principal Secretary, Department of Education Government of Bihar, Vikas Bhawan, Patna.



3. The Director (Primary Education), Department of Education Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
5. The District Education Officer, District-Madhubani.
6. The District Program Officer (Establishment), District-Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Avanindra Kumar Jha, Adv.

For the Respondent/s : Mr.Jitendra Kumar Roy 1 (Sc13)

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 31-03-2022 Heard the parties.

Considering it that this matter is covered by the Judgment dated 23.02.2022, passed in **C.W.J.C. No. 5489 of 2020 (Suresh Ram Vs. The State of Bihar & Ors.)** and connected matters reported in **2022 (2) B.L.J., 381** and the Judgment dated 07.03.2022, passed in **C.W.J.C. No. 34 of 2022 (Minakshi @ Sushre Minakshi & Anr. Vrs. The State of Bihar & Ors.)**, this petition is disposed of with the above terms.

If an appeal is preferred before the District Appellate Authority/ State Appellate Authority, the same shall be taken up at the earliest and preferably decided within a period of three months.

(Sanjeev Prakash Sharma, J)

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