

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4930 of 2021

1. Savitri Devi wife of Sanjay Kumar Pandey resident of Village- Sadhanpura, P.O.- Rampur Bheriyahi, P.S.- Kathaiya, District- Muzaffarpur.
 2. Sanjay Kumar Pandey son of Prahalad Pandey resident of Village- Sadhanpura, P.O.- Rampur Bheriyahi, P.S.- Kathaiya, District- Muzaffarpur.
- Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Human Resources Development Department, Government of Bihar, Patna.
3. The Director, Mass Education, Government of Bihar, Patna.
4. The District Magistrate, Muzaffarpur.
5. The District Education Officer, Muzaffarpur.
6. The District Programme Officer (Literacy), Muzaffarpur.

... ... Respondent/s

Appearance :

For the Petitioner/s : Mr. Lal Mani Sharma
For the Respondent/s : Mr. Madanjeet Kumar, GP 20

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

Date : 02-02-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accepts notice for the respondents.

3. In the instant petition, petitioners have prayed for the following relief/reliefs:

“That the petitioners pray for issuance of a writ preferably in the nature of Mandamus commanding and directing the Respondents concerned to consider the claim/case of the petitioners properly for their absorptions on any suitable class-IV posts and issue appointment letter to the petitioners being Non Formal Education Instructor who have worked for more than 3 years in the District of Muzaffarpur in view of the direction of this Hon’ble Court as well as Hon’ble



Apex Court as several similarly situated persons have been absorbed in regular services but case of the petitioners is being discriminated. And/or any other writ/writs, order/orders, direction/directions for granting any other relief or reliefs for which the petitioner is found entitled to, in the facts and circumstances.”

4. In the present petition, petitioners have sought for the issuance of writ of Mandamus. They have not made out a case for the reasons that they have not established legal/statutory right followed by demand before the competent authority.

5. In the light of Apex Court decision in the case of *Mani Subrat Jain V. State of Haryana* reported in (1977) 1 SCC 486, the present petition is not maintainable, however, in the interest of litigants, petitioners are at liberty to approach the concerned respondent in submitting a detailed representation along with judicial pronouncements, if any within a period of eight weeks from the date of receipt of this order. The concerned respondent is hereby directed to decide it within a period of four months from the date of such representation.

6. With the above observations, writ petitions stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

