

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8179 of 2021**

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1. Raj Kumar Singh son of Late Ramkaran Singh resident of village - Pirhi, P.S. Kurtha, District- Arwal.
2. Upendra Verma son of Ram Khelawan Verma resident of village - Nausahra, P.S. Ghoshi, District- Jehanabad.
3. Bidyanandan Singh son of Ram Ratan Singh resident of village - Nausahra, P.S. Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Department of Personnel and Administrative Reforms, Government of Bihar, Patna.
4. The Director, Mass Education, Government of Bihar, Patna.
5. The District Education Officer, Arwal.
6. The District Mass Education Officer, Arwal.
7. The District Programme Officer, Arwal.
8. The District Education Officer, Jehanabad.
9. The District Mass Education Officer, Jehanabad.
10. The District Programme Officer, Jehanabad.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Mahboob Ashraf  
For the Respondent/s : Mr. Madanjeet Kumar ( Gp20 )

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

**Date : 14-02-2022**

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

In the instant petition, counsel for the State accepts



notice for respondents.

Counsel for the petitioner is hereby directed to furnish copy of the petition.

In the instant petition, petitioner has prayed for the following relief/reliefs:

*(i) For the issuance of any appropriate writ/s rules or direction especially 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 Government as the petitioners are ex-instructors or non-formal education including the other several grounds as respondents authorities have already absorbed the non-formal education supervisors on Class-III post in the order passed by this Hon'ble Court.*

*(ii) For issuance of any appropriate writ/s, rule or direction especially in the nature of mandamus,*



*directing the respondents to give similar treat as the case of other several similar situated has been considered by this Hon'ble Court as well as by the Hon'ble Apex Court.*

*(iii) For issuance of any appropriate writ/s, rule or direction as this Hon'ble Court may found fit and proper to the facts and circumstances of the as well as for which these petitioners may be found entitled thereto.*

The aforesaid relief is not supported by legal or vested right followed by demand before the competent authority. In the absence of the aforesaid ingredients, the present petition is not maintainable in the light of Apex Court decision in the case of ***Mani Subrat Jain Vs. State of Haryana reported in 1977 (1) SCC 486.***

Accordingly, the writ petition stands dismissed, reserving liberty to the petitioner to prefer a detailed representation before the competent authority alongwith the judicial pronouncements, if any.



In that event, the concerned respondent to decide the petitioners’ representation within a reasonable period of time.

**(P. B. Bajanthri, J)**

Ankit/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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