

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6507 of 2021

1. Sudhir Sharma @ Sudhir Kumar Sharma Son of Govind Sharma Resident of Village - Ramchandarpur, Police Station - Pipariya, District - Lakhisarai
2. Vina Kumari Daughter of Late Krishnandan Prasad Resident of Village - Ramchandarpur, Police Station - Pipariya, District- Lakhisarai
3. Anita Kumari Daughter of Late Basant Singh Resident of Village - Ramchandrapur, Police Station - Pipariya, District- Lakhisarai.
4. Dharmshila Devi Daughter of Late Naresh Singh Resident of Village - Mohanpur, Police Station - Pipariya, District - Lakhisarai.
5. Renu Kumari Daughter of Ramawatar Singh Resident of Village - Saidpur, Police Station - Suryagradha, District - Lakhisarai
6. Damodar Pandit Son of Babulal Pandit Resident of Village - Kachhua, Police Station - Mananpur, District- Lakhisarai.
7. Shailaja Sinha Daughter of Arun Kumar Singh Resident of Village - Olipur, Police Station - Pipariya, District- Lakhisarai.
8. Kumari Ranjana Daughter of Kailash Singh Resident of Village - Saidpura, Police Station - Suryagradha, District - Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary Government of Bihar, Patna
3. The Principal Secretary, Department of Education, Bihar, Patna
4. The Director, Mass Education, Bihar Patna
5. The District Education Officer, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

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

Date : 07-03-2022

Heard learned counsel for the parties.

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

“That this is an application for issuance of a writ in the
nature of mandamus commanding and directing the



respondent-authorities to give the similar benefit to the petitioners of the instant writ petition as that of the petitioners of C.W.J.C. No.8418 of 2010, which has been affirmed by a Division Bench of this Hon'ble Court in L.P.A. No. 1489 of 2011 and so also ultimately affirmed by the Hon'ble Apex Court in Special Leave Petition (Civil) CC No. 32079 of 2015, after taking into consideration sec. 4 Clause (c) of the Bihar State Litigation Policy, 2011, which is to the effect that if the claim is covered by any decision of the Court, it is primary duty of the State to protect rights of all citizens by giving same benefits and/or for issuance of an appropriate order/direction, to which the petitioners may be found legally entitled to in the facts and circumstances stated hereinabove.”

3. Undisputedly, the petitioners were not party to the earlier litigation. In identical matter, the Apex Court on 26.02.2016 passed the following order:

“We find no infirmity in the order impugned herein. The Special Leave Petitions are dismissed.

The relief granted by the High Court shall be restricted to those who approached the High Court who were heard as well as who wanted to get themselves impleaded and those who have filed applications here at par with those former as well as all those petitioner instructors which are pending as on date before the High Court but shall not apply to any fresh case either here or before the High Court.

Pending applications, if any, stand disposed of.”



4. The petitioners do not fall under the aforesaid class or persons. Therefore, question of entertaining the present petition with reference to any other decision of this Court is not warranted.

5. Accordingly, the present petition stands dismissed.

(P. B. Bajanthri, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.03.2022
Transmission Date	NA

