

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6475 of 2021

1. Shyam Kumar Son of Mahendra Mandal Resident of Village- Kala Rampur, P.S.- Jamalpur, District- Munger.
2. Pramod Kumar Son of Rupan Prasad Resident of Village- Damodarpur Kuttha, P.S. Akbar Nagar, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Director, Mass Education, Government of Bihar, Patna.
5. The District Magistrate, Bhagalpur.
6. District Mass Education Officer, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Chandrasekhar Sharma
For the Respondent/s	:	Mr. Lalit Kishore (Ag)
	:	Mr. Dharendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 07-02-2022

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

2. Counsel for the petitioners is hereby directed to serve copy of the writ petition to the counsel for the State/respondents, if it is not already served.



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

“(i) For issuance of any appropriate writ or writs specially in the nature of mandamus commanding and directing the respondents concerned to absorbed the petitioners on the post of Class-III and Class-IV under the respondents State of Bihar as the petitioners are the Ex-Instructor of Non Formal Education on several grounds including that the State government decided to absorb the non formal Education Supervisor on Class-III post.

(ii) To direct the respondent to treat the petitioners similar to other situated persons against whose favour orders have been passed by this Hon’ble Court in different writ petition and in the contempt petition and not treat the petitioners as different from those persons.

(iii) This Hon’ble Court be further pleased to disposed of the present writ application in terms of order passed in C.W.J.C. No. 384/2017 disposed of on 3.3.2017 as the present case is stand on similar footing.

(iv) For issuance of any appropriate writ, rule or directions as your Lordships may deem fit and proper to the facts and circumstances of the case as well as for which the petitioners may be found entitled thereto.”

3. The aforesaid relief is not supported by any legal or statutory right vested with the petitioners followed by demand before the competent authority, therefore, the present petition stands dismissed in the light of Apex Court decision in the case of ***Mani Subrat Jain V. State of Haryana*** reported in (1977) 1 SCC 486, reserving liberty to the petitioners to file representation read with the judicial pronouncements, if any. If such representation is



submitted, the competent authority is hereby directed decide
petitioners’ representation within a reasonable period of time.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

