

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6935 of 2021

1. Pramod Kumar Thakur Son of Bindeshwari Prasad Thakur @ Bindeshwari Thakur Residents of Village- Lakshmipur Bhatta, Post- Lakshmipur Bishariya, P.S.- Barhara Kothi, District- Purnea, Pin- 854203.
2. Kaushal Kishore Mandal @ Kaushal Kaushal Kishor Mandal Son of Kedar Nath Mandal Residents of Village- Laxmipur Bhatta, Post- Laxmipur Bisaharia, P.S.- Barhara Kothi, District- Purnea, Pin- 854203.
3. Ramanand Mandal S/o Bhuvneshwar Prasad Mandal Residents of Village- Laxminiya, P.S.- Rupouli, District- Purnia, Pin- 854204.
4. Shiv Shankar Kumar Son of Parmeshwar Prasad Mandal Residents of Village- Laxmipur, Post- Laxmipur Bishariya, P.S.- Barhara Kothi, District- Purnia, Pin- 854203.
5. Pramod Kumar Mandal Son of Badri Narayan Mandal Residents of Village- Mainma, P.O. and P.S.- Rupouli, Panchayat- Dobha Milik, District- Purnia, Pin- 854204.
6. Usha Devi Wife of Krishn Jaysawal Residents of Village- Laxmipur, Kanchan Tola, Post- Laxmipur Bishariya, P.S.- Barhara Kothi, District- Purnia, Pin- 854203.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principle 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 Educational, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rupesh Kumar
For the Respondent/s : Mr. Lalit Kishore (Ag)

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

Date : 09-02-2022

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



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

“(i) For issuance of any appropriate Writ/s, order/s, direction/s in the nature of mandamus, directing the respondents-authorities to absorb these petitioners on the post of Class – III or Class – IV under the employment of State Government as 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 light of the order passed by this Hon’ble Court.

(ii) For issuance of any appropriate Writ/s, Order/s, direction/s 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 the Hon’ble Apex Court.

(iii) For issuance of any appropriate Writ/s, order/s, direction/s as this Hon’ble Court may found deem fit and proper in the facts and circumstances of this case.”

3. The aforesaid relief is not supported by representation. The petitioners also have not established as to how they have legal or statutory vested right in claiming the aforesaid relief followed by demand before the competent authority. In the absence of the aforesaid ingredients, the present petition cannot be entertained in the light of Apex Court decision in the case of ***Mani Subrat Jain V. State of Haryana*** reported in ***(1977) 1 SCC 486***.

4. Accordingly, the present petition stands dismissed, reserving liberty to the petitioners to file a representation along with judicial pronouncements, if any, within a period of eight



weeks from the date of receipt of this order. The competent authority is hereby directed to decide the petitioners’ representation within a reasonable period of time.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

