

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7239 of 2021

1. Ram Suresh Ram Son of Shiv Jank Ram, R/o Village- Bara Basantpur, Mahakampur, Post - Daulatpur, P.S. Ara Mufassil, District - Bhojpur.
2. Ramakant, Son of Sudama Choudhary, R/o Village - Sarosher, P.S. - Dinara, District - Rohtas.
3. Om Prakash Singh, Son of Ghyanshyam Singh, resident of Village- Bauliya Nuranganj, P.S. - Sasaram, District - Rohtas.
4. Babu Chand Ram, Son of Shipahi Ram, Resident of Village - Kirhindi, P.S. Shivsagar, District - Rohtas.
5. Shanti Devi, Wife of Munna Ram, Resident of Village - Datauna, P.S. - Nokha, District - Rohtas.
6. Urmila Devi, Wife of Gurucharan Ram, Resident of Village and Post - Rophattha, P.S. Nokha, District - Rohtas.
7. Manorma Devi, Wife of Lalita Choudhary, Resident of Village and Post - Habibi, P.S. - Nokha, District - Rohtas.
8. Binda Devi, Wife of Mauji Lal Rai, Resident of Village - Parwa, P.S. - Nokha, District - Rohtas.
9. Kaushalya Devi, Wife of Hari Mohan Singh, Resident of Village- Kone, P.S. - Nokha, District - Rohtas.
10. Haribansh Rai, Son of Tileshwar Rai, Resident of Village - Charampura, P.S. - Nokha, District - Rohtas.
11. Deepak Kumar, Son of Ganesh Mahto, Resident of Village - Bauliya Nooran Ganj, P.S. - Sasaram, District - Rohtas.
12. Ashok Kumar, Son of Sant Prasad Singh, Resident of Village and Post - Chourdiha, P.S.- Kargarhar, District - Rohtas.
13. Lilawati Kumari, Wife of Radha Prasad, Resident of Village- Mathiya, P.S. - Dinara, District - Rohtas.
14. Manoj Kumar Singh, Son of Keshwar Sah, Resident of Village - Penar, P.S. Nokha, District - Rohtas.
15. Abhay Kmar Singh, Son of Akhileshwar Singh, Resident of Village and Post- Barao, P.S.- Nokha, District - Rohtas.
16. Kailash Ram, S/o Shiv Narayan Ram, Resident of Village - Babuganj, P.O.- Pagleja, P.S. - Akaudha Gola, District - Rohtas.
17. Brija Kumari, Sipahi Singh, Resident of Village - Sisirit Tola, P.O.- Sisirit, P.S. Nokha, District - Rohtas.
18. Umesh Kumar Singh S/o Ram Karan Singh, Resident of Village- Rup, P.O. - Akaudha, P.S. Dinara, District - Rohtas.
19. Lal Bihari Ram, S/o Rameswar Ram, Resident of Village and P.O. - Baranw, P.S. Nokha, District - Rohtas.



20. Madan Ram, S/o Ram Samujh Baitha, Resident of Village - Bisunpura, P.O. Baranw, R.S.- Nokha, District - Rohtas.
21. Nandu Prasad, S/o Bhagaru Ganpati, Resident of Village - Raghunathpur, P.O. - Bhaluari, P.S. Nokha, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Old Secretariat, Patna.
2. The Principle Secretary, Department of Human Resources Development Bihar, Patna.
3. The Principle Secretary Department of Personal and Administrative Reforms, Patna.
4. The District Education Officer, Rohtas at Sasaram.
5. The Director, Madyamik Shiksha Vidyalaya, Patna.
6. The District Magistrate, Rohtas at Sasaram.
7. The Secretary-cum-Commissioner, Department of Primary and Adult Education, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vikalp

For the Respondent/s : Mr. Madanjeet Kumar

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.

In the instant petition, petitioners have prayed for following relief:-

“ (i) That this writ application is being



filed for issuance of writ or writs, order or orders, direction or directions to command upon the respondents and give direction and orders to respondents and give direction and orders to respondents for appointment or consider sympathetically to the Anudeshak of the District and State of Bihar, who have been retrenched of non-formal Supervisor and non-formal Instructor and consequently of closure of scheme in the State of Bihar the non-formal Supervisor was re-habitate pursuant to government policy decision dated 12.01.2010 but when it came to Instructor as per example non-formal Instructor they were high and dry and only then by instant writ proceeding of this writ and they were done work as non-formal Instructor and work for since 3 years from 01.04.1994 to 10.07.1997, and they have trained so direction and order may be given for adoption in above department or any other department of the Supervisor.”

Aforesaid relief is not supported by legal/statutory right followed by demand before the competent authority. Thus, the present petition is not maintainable in the light of Apex Court’s decision in the case of ***Mani Subrat Jain V. State of Haryana & Ors.*** reported in ***A.I.R. 1977 SC 276.***

Accordingly, the present petition stands dismissed reserving liberty to the petitioners to submit detailed representation along with judicial pronouncements, if any. If such representation is submitted within a period of eight weeks from the date of receipt of this order, in that event, the



concerned respondent is hereby directed to decide the
petitioners’ representation at the earliest.

(P. B. Bajanthri, J)

kamlesh/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	15.02.2022
Transmission Date	NA

