

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3911 of 2022

1. Brajesh Kumar Puri Son of Devendra Nath Puri Resident of Village - Gajadhar Tola, P.O. and P.S. - Thawe, District - Gopalganj, PIN 841440
2. Gorakh Baitha, Son of Late Sadai Baitha, Resident of Village Hiramni, P.O. and P.S. - Chhauda Dano, District - East Champaran, PIN 845302.
3. Rakesh Kumar Singh, Son of Harishankar Singh, Resident of Village Jhakhra, P.O. - Salham, P.S. Govindganj, District - East Champaran, PIN 845419.
4. Rajesh Sah, Son of Lalbabu Sah, Resident of Chhauda Dano, P.O. and P.S. - Chhauda Dano, District - East Champaran, PIN 845302.
5. Pramod Prasad Barnwal, Son of Late Jangi Prasad, Resident of Village - Bada Badheyan, P.O. and P.S. Barauli, District - Gopalganj, PIN 841405.
6. Imteyaz Alam, Son of Pan Mohammad, Resident of Village Jangaliya, Ward No. 15, P.O. and P.S. - Gopalganj, District - Gopalganj.
7. Dharmanand Sharma, Son of Late Gorakh Sharma, Resident of Village Gawandri Khas, P.O. - Ramchandrapur, P.S. - Thawe, District - Gopalganj.
8. Shobhilal Prasad, Son of Late Baidhnath Prasad, Resident of Village Hiramni, P.O. - Mathia Brit, P.S. Chhauda Dano, District - East Champaran, Pin 845302.
9. Mithilesh Kumar Puri, Son of Late Surendra Nath Puri, Resident of Village Gajadhar Tola, P.O. and P.S. - Thawe, District - Gopalganj, PIN 8414470
10. Subhash Prasad, Son of Sihansan Prasad, Resident of Village Pithauri, P.O. - Udant Ray Ke Bangra, P.S. - Thawe, District Gopalganj, PIN 841428.
11. Awadhesh Prasad Yadav, Son of Late Surya Raut @ Surya Yadav, Resident of Village Lakshmipur, P.O. and P.S. - Adapur, District - East Champaran, PIN 845301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, General Education - Cum - Additional Secretary, Education Department, Bihar, Patna.
4. The Director, Science and Technology Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ashish Giri, Advocate
For the Respondent/s : Mr. Sanjay Kumar, AC to GP 23



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

Date : 28-03-2022

Heard learned counsel for respective parties.

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

“(i). To issue writ/order or direction in the nature of mandamus or any other appropriate writ/order/orders/directions directing the respondent authorities to appoint the petitioners against vacant Class IV post in Science & Technology Department, Government of Bihar, Patna.

(ii). To hold and declare that the petitioner ought to have been given preference for appointment in Class-iv Post in Science Technology Department, Government of Bihar, Patna in terms of the order of the Hon'ble High Court dated 26.06.2001 passed in C.W.J.c. No. 2844 of 2021 and analogous cases and that no post therein could be filled up without granting opportunity to the petitioners after weightage of marks and age relaxation.

(iii). To hold and declare that the actions of the Respondent Authorities in proceeding to filling up the said Class IV post in Science & Technology Department by appointment of 23 candidates in terms of letter dated 25.02.2020 without any opportunity to the petitioners is discriminatory and violative of Article 14 & 16 of the Constitution of India and also in teeth of the order dated 26.06.2001 passed in C.W.J.C. No. 2844 of 2001 and other analogous cases.

(iv). To pass appropriate interim/ex-parte interim relief during the pendency of the present writ petition preventing the respondent authorities from fil-



ing up vacant Class IV Post in Science & Technology Department, Government of Bihar, Patna and / or keeping the seats vacant for the petitioners.

(v). To pass any other relief or reliefs for which the petitioners are found' to be entitled in the facts and circumstances of the case."

Learned counsel for the petitioners submitted that identical matter was decided on 31.01.2022 in CWJC No. 1430 of 2021.

Accordingly, the present petition stands disposed off in terms of the aforesaid order dated 31.01.2022 passed in CWJC No. 1430 of 2021.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

