

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16637 of 2014

=====

Nagendra Ram S/o Matuk Ram resident of village - Ahirouliya, P.S. Chiraiya,
District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar, through its Commissioner - Cum - Secretary, Education Department, Government of Bihar, Patna
2. The Commissioner - Cum - Secretary, Education Department, Government of Bihar, Patna
3. The Director, Mass Education, Government of Bihar, Patna

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Respondent/s : Mr. Ajay Kumar Rastogi, AAG 10

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-11-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“i) For issuance of any appropriate writ or writs especially in the nature of mandamus commanding and directing the respondents concerned to observed the petitioner on the post of Class-III under the respondents state as the



petitioner are ex-instructor of adult and non formal educations on several grounds including that the state grounds including that the state government has decided to absorb the nonformal educational supervisor on Class-IIIrd post.

(ii) For issuance of any appropriate writ or writs, 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 petitioner may be found entitled thereto.”

Learned counsel for the petitioner states that the present petition may be disposed of in terms of order dated 14.9.2016 passed in CWJC No. 1101 of 2016 titled as Suresh Roy & Ors. Vs. The State of Bihar & Ors.

The said order is extracted as under:

“Writ application is disposed off with an observation that the direction issued by the Learned Single Judge and a Division Bench, affirmed by the Hon’ble Supreme Court in SLA (C) No. 32079 of 2015 with regard to Non-formal Instructors, shall govern the case of these petitioners as well, provided it comes within the ambit of the said decisions.

Writ application stands disposed off in terms of above. ”

In view of the facts that the matter stands settled



by the Hon’ble Apex Court, we direct the petition to be disposed
of in terms of the aforesaid order.

Interlocutory application(s), if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Spd/-Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	24.11.2022
Transmission Date	

