

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22168 of 2014

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Vinay Kumar Singh S/o Dev Narayan Singh resident of Village - Parsurampur
Tola, Rudal Pakri, P.S. - Pipra, 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

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.
For the Respondent/s : Mr. Sudhir Kumar Upadhyay, AC to Ex. GP-8

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-12-2022 The present writ petition has been filed
seeking the following reliefs:-

“1(i). For issuance of any appropriate writ or writs especially in the nature of Mandamus commanding and directing the respondents concerned to absorb the petitioner on the post of Class-III under the respondents state as the petitioner is 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 non formal 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.”

At the outset, the learned counsel for the petitioner submits that the present case is squarely covered by an order dated 14.09.2016, passed in CWJC No. 1101 of 2016 (Suresh Roy & Ors. Vs. The State of Bihar & Ors.), relevant portion whereof is reproduced hereinbelow:-

“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.”

Having regard to the aforesaid aspect of



the matter, I deem it fit and proper to grant liberty to the petitioner to file appropriate representation before the respondent no.3 i.e. the Director, Mass Education, Government of Bihar, Patna, within a period of four weeks from today, who shall ascertain as to whether the case of the petitioner is covered by the aforesaid judgment, rendered in the case of Suresh Roy & Ors. (supra) and pass necessary orders, in accordance with law, within a period of eight weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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