

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10284 of 2021**

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1. Parmeshwar Prasad- II son of Ambika Rai resident of Village- Jogipur, Kankarbagh, P.O.- Lohiya Nagar, P.S.- Patrakar Nagar, District- Patna, Pin Code- 800020.
2. Suresh Kumar son of Ayodhya Prasad resident of Village- Mahadeopuri, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna, Pin Code- 800001.
3. Alok Ranjan son of Late Bhuneshwar Lall resident of Flat No.- 303, Manja Enclave, Road No.- 0, Near Gandhi Murti, Patel Nagar, P.S.- S.K. Puri, District- Patna, Pin Code- 800023.
4. Sharwan Kumar Ray son of Late Gorakh Prasad Rai resident of Village- Hezalpur, P.O.- Basantpur Maker, P.S.- Maker, District- Saran, Pin Code- 841401.
5. Mukesh Kumar son of Late Tapeswar Yadav resident of Reshmi Complex, P.O.- Kidwaipuri, P.S.- Kotwali, District- Patna, Pin Code- 800001.
6. Kalanand Kaushal son of Late Sukhdeo Prasad Yadav, resident of Ganga Tower, Flat No. 22, LCT Ghat, Mainpura, District- Patna, Pin Code- 800001.
7. Dinesh Kumar son of Late Narayan Prasad Singh resident of Village- Narauli, P.O.- Binda, P.S.- Mushahari, District- Muzaffarpur, Pin Code- 843119.
8. Ashok Kumar Rajak son of Late Jalim Baitha, resident of Village- Akbarpur, P.O.- Satichauta, P.S.- Bhagwanpur, District- Vaishali, Pin Code- 844504.
9. Dilip Ram son of Shyam Nandan Ram resident of Village, P.O. and P.S.- Mangiya, District- Vaishali, Pin Code- 844122.
10. Vinod Ram son of Dhuran Ram resident of Village- Uphraul, P.O.- Bakhara, District- Muzaffarpur, Pin Code- 843101.
11. Abhay Kumar Singh son of Nasib Singh resident of Swasti Bhawan, Indira Nagar, Road No. 9 C, P.O.- G.P.O., P.S.- Jakkanpur, District- Patna, Pin Code- 800001.
12. Satyadeo Prasad son of Girwardhari Singh resident of Vijay Nagar, Hanuman Nagar, P.S.- Patrakar Nagar, District- Patna, Pin Code- 800020.
13. Rakesh Kumar son of Shyam Narayan Prasad resident of Churi Market, Kadam Kuan, Nala Road, P.S.- Kadam Kuan, District- Patna, Pin Code- 800003.
14. Surendra Kumar son of Jawahar Lal resident of Road No.- 21, House No.- 66, S.K. Nagar, P.S.- Kotwali, District- Patna, Pin Code- 800001.
15. Jitendra Kumar son of Late Gopal Prasad resident of Churi Market, Kadam Kuan, Nala Road, P.S.- Kadam Kuan, District- Patna, Pin Code- 800003.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.



2. Additional Chief Secretary, Education Department, Bihar, Patna.
3. Joint Secretary, Education Department, Bihar, Patna.
4. Bihar School Examination Board, Patna through its Secretary.
5. Chairman, Bihar School Examination Board, Patna
6. Secretary, Bihar School Examination Board, Patna

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Abhinav Srivastava, Advocate  
For the BSEB : Mr. Satyabir Bharti, Advocate

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

**Date : 10-03-2022**

Heard learned counsels for the parties.

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

“(i) Issuance of a direction, order or writ, including writ in the nature of certiorari quashing the order dated 30/03/2019 bearing memo no. 225 issued by the concerned authorities under the Education Department of the State Government, by which the claims of the petitioners for absorption of their services in the capacity of Class-III employees under the Bihar School Examination Board, Patna (hereinafter referred to as “the Board”) has been rejected in the most illegal and arbitrary manner on patently misconceived and erroneous grounds.

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the Education Department of the State Government as well as the Board to take steps towards considering the cases of the petitioners for absorption of their services in their respective capacities as Class-III employees



in the services of the Board upon dissolution of the erstwhile Bihar Intermediate Education Council, Patna (hereinafter referred to as “the Council”) in view of the fact that the petitioners had been appointed against their respective posts in the services of the erstwhile Council by the orders of the Chairman of the erstwhile Council and other similarly situated persons have already been absorbed in the services of the Board.

(iii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the Education Department of the State Government as well as the Board to extend all the consequential benefits in terms of salary, arrears of salary, increments, seniority, promotion and continuity of service and other consequential benefits that the petitioners may be found to be entitled to upon absorption of their services against their respective posts in the services of the Board, in accordance with law with effect from the dates from which other similarly situated persons have been absorbed in the services of the Board and are being extended such benefits;

(iv) Issuance of a declaration holding that the petitioners are entitled for absorption of their services in their respective capacities in the services of the Board in view of the fact that they had been continuously working in the services of the erstwhile Council pursuant to their appointments against the respective posts strictly in accordance with law;

(v) Any other relief/reliefs that the petitioners may be found to be entitled to in the facts and circumstances of the present case.”

Learned counsel for the respective parties submitted that the present petition may be disposed of in terms



of C.W.J.C. No. 16423 of 2021 decided on 15.12.2021.

Accordingly, the present petition stands disposed  
of in terms of C.W.J.C. No. 16423 of 2021.

**(P. B. Bajanthri, J)**

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