

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18069 of 2014

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1. Prabhu Prasad S/o Jagdish Prasad, resident of village- Champapur Khas, P.O.- Champapur Koiriya, P.S. Ghorasahan, District- East Champaran
 2. Arun Kumar Singh, S/o Ramakant Singh, resident of village P.O.- Ahirauliya, P.S.- Chiraiya, District- East Champaran
 3. Krishna Kant Kumar, Sri Ram Ayodhya Prasad, resident of village P.O.- Gamahariya Kala, P.S.- Darpa, District- East Champaran
 4. Ashok Pandey, S/o Chandra Shekhar Pandey, resident of village P.O.- Kharkhai, P.S.- Chiraiya, District- East Champaran
 5. Rajeev Ranjan Singh, S/o Bir Bahadur Singh, resident of village- Dumri Kala, P.S.- Major Ganj, District- Sitamarhi
 6. Raghubansh Kuar, S/o Ram Ayodhya Kuar, resident of village- Suppi, P.O.- Bokcha, P.S.- Major Ganj, District- Sitamarhi
 7. Nirvay Singh, S/o Raj Kishore Singh, resident of village P.O.- Barka Gaon, P.S.- Pakridayal, 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,Adv.
For the Respondent/s : Mr.Rajiv Roy,Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-12-2022 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 petitioners on the post of Class-III under the respondents state as the petitioners 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 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 petitioners may be found entitled thereto.”

At the outset, the learned counsel for the petitioners 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 the petitioners’ liberty to file appropriate representation before the respondent no.3 i.e. the Director, Mass Education, Government of Bihar, Patna, who shall ascertain as to whether the case of the petitioners 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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