

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14149 of 2015

1. Ashok Kumar Tiwary and Ors Son of Maksudan Tiwary, resident of Village- Madhupur, Post- Kureshar, District- Gazipur U.P.. At present Assistant Teacher Buxar High School, Buxar, P.O.P.S.District- Buxar Bihar.
2. Kedar Nath Singh Yadav Son of Late Sagarup Singh Yadav, resident of Village- Chairpur Dora, Post- Sadat, District- Gazipur U.P.. At present Assistant Teacher Buxar High School, Buxar, P.O.P.S.District- Buxar Bihar.
3. Ram Bechan Mishra, Son of Shaunkeshwar Mishra, resident of Village- Amaun, Post- Bharauli, P.S.- Narahi, District- Baliya U.P.. Retired Assistant Teacher Buxar High School, Buxar, P.O.P.S.District- Buxar Bihar.
4. Uma Shankar Singh Yadav, Son of Late Baliram Singh Yadav, resident of Village and Post- Rajapur Kataya, P.S.- Kashimabad, District- Gazipur U.P.. At present Assistant Teacher Buxar High School, Buxar, P.O.P.S.District- Buxar Bihar.
5. Bijay Narain Rai, Son of Late Amala Rai, resident of Village and Post- Sohaw, P.S.- Narahi, District- Baliya U.P.. At present Assistant Teacher Buxar High School, Buxar, P.O.P.S.District- Buxar Bihar.
6. Gopal Rai, Son of Late Sumer Rai, resident of Village and Post- Sohaw, P.S.- Narahi, District- Baliya U.P.. At present Assistant Teacher Buxar High School, Buxar, P.O.P.S.District- Buxar Bihar.
7. Smt. Chanda Devi, Wife of Bir Verma, resident of Village and Post- Ailakh, P.S.- Hakardharpur, District- Balia U.P.. At present Assistant Teacher Buxar High School, Buxar, P.O.P.S.District- Buxar Bihar.
8. Ganga Sagar Thakur, Son of Jugeshwar Thakur, resident of Village- Tekari Mohan Chapara, Post- Balia, P.S.- Dubahar, District- Baliya U.P.. At present Assistant Teacher S.P. Vidya Mandir, Buxar, P.O.P.S.District- Buxar Bihar.
9. Smt. Hingmani, Wife of Nand Gopal Prasad, resident of Mohalla- Bangali Tola, Post P.S.District- Buxar. At present Head Master S.P. Vidya Mandir, Buxar, P.O.P.S.District- Buxar Bihar.
10. Smt. Shashi Bala, Daughter of Ramashankar Verma, Wife of Mithilesh Kumar Sinha, resident of Mohalla- Amala Tola, Post P.S.District- Buxar. At present Head Master Nehru Smarak High School, Buxar, P.O.P.S.District- Buxar Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Ministry of Finance, Govt. of Bihar, Patna.
4. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
5. The Director, Secondary Education, Bihar, Patna.



6. The District Education Officer, District- Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ram Naresh Sharma, Advocate
For the Respondent/s : Mr.Lalit Kishore, AG

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

23 12-12-2022

Petitioners have prayed for the following relief(s):-

“1. To struck down Rule-10 of Memo No. 3A-2Ve- Pu-16/09-630 Government of Bihar, Finance Department Resolution dated 21.01.2010. Which is ultra-vious, unconstitutional, arbitrary and violating the principle of Article 14 and 16 of Constitution of India to the extent not giving one increment to petitioners in pre-revised scale on 01.01.2006 falling dues between February 2006 to June 2006.

1A That this Hon’ble Court will be pleased to set aside resolution No 5978 dated 25.08.2017 issued through letter No 3A-2-ve- Pu- 09/2016-5978/ vi State of Bihar, Finance Department dated 25.08.2017 (Annexure 4).”

Learned counsel for the petitioner, under instruction, states that, in view of the decision rendered in



C.W.J.C. No. 43890 of 2015, titled as Sheo Shankar Singh & Ors. Vs. The State of Bihar & Ors., the present petition has become infructuous. As such, petitioner may be permitted to withdraw the present petition.

Prayer allowed.

Petition is disposed of as withdrawn.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Spd/-K.C.Jha

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