

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16848 of 2021

1. Nawin Kumar Son of Sri Ram Vilash Mandal Resident of Village - Laxmipur, Police Station - Bikaoodhi, District - Purnea.
2. Akhter Nawaz Son of Md Sarfodin Resident of Village - Kathbari, Police Station- Rauta, District- Purnea.
3. Srikant Mandal Son of Patthal Mandal, Resident of Kailutol Sukhsena, Police Station- Bikaodhi, District- Purnea.
4. Kamaldev Yadav Son of Sri Ramashreshth Yadav Resident of Village - Maniari, Police Station- Sadar, District - Darbhanga.
5. Md. Waseem Akhtar Son of Ayyub Alam Resident of Village - Sehalo, Police Station - Amaur, District- Purnea.
6. Mohammad Luquman Son of Maqubul Hossain Resident of Village - Dagarua, Police Station - Dagarua, District- Purnea.
7. Ghanshyam Prasad majumdar Son of Suresh Majumdar Resident of Village - Sourajabar, Police Station- Dagarua, District- Purnea.
8. Anjan Kumar Son of Bachchi Thakur Resident of Village - Ajhokopa, Police Station - Ruapuli, District- Purnea.
9. Hajari Prasad Thakur Son of Baisakhu Thakur Resident of Village - Kabaiya, Police Station - Rauta, District- Purnea.
10. Mohamad Asubhan Son of Mohamad Makbul Husain Resident of Village - Sakrail, Police Station- Dagruea, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Health Government of Bihar, Patna.
4. The Director - in - Chief, Health Services (Diseases Control, Public Health, Para - Medicals), Bihar, Patna.
5. The Director, Mass Education, Bihar, Patna.
6. The Civil Surgeon cum Chief Medical Officer, Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Adv
For the Respondent/s	:	Mr. Birju Prasad (GP13)
		Mr. Ajit Anand, AC to GP-13

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER



3 17-10-2022 The petitioners' counsel submits that having worked as Instructor under the Non-formal Education Scheme, the petitioners are entitled to absorption in view of the recommendation dated 18.04.2019 made by the Director (Annexure 13 to the supplementary affidavit).

2. It is submitted by petitioners' counsel that the SC category recommendees have been absorbed, however the petitioners who belong to BC and BC-1 categories have been left out. It is submitted that they have specifically represented for relief by way of implementation of the recommendation dated 18.04.2019 before the Civil Surgeon-cum-Chief Medical Officer, Khagaria on 20.04.2021 (Annexure-10). However, no action has been taken.

3. Learned State Counsel appears without expressing any opinion on the merits of the petitioners' claim, submits that the fact, that petitioners' representation is required to be considered, cannot be denied or disputed.

4. In view of the above noted position, pendency of the writ application will serve no useful purpose. The same is disposed of with a direction to the Civil Surgeon-cum-Chief Medical Officer, Khagaria (Respondent No. 6) to take appropriate decision under due intimation to the petitioners by



assigning reason/s within a period of eight (08) weeks from the date of receipt/production of a copy of this order, in accordance with law.

(Madhuresh Prasad, J)

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