

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24355 of 2018

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Noorus Sabah, Daughter of Late Md. Abdul Ali, resident of nagar Parishad,
Police Station- Purbahore, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Patna.
5. The District Education Officer, Patna.
6. The District Programme Officer, Establishment, Patna.
7. The Block Education Officer, Barh Block, District Patna.
8. The Block Education Officer, Daniyawan Block, District- Patna.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 4689 of 2016

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1. Ashok Kumar Son of Late Siya Sharan Sharma, Resident of Village - Jatkauli, P.O. - Dharmapur, P.S. - Vaishali, District - Vaishali at Hajipur.
2. Sachchidanand Sinha Son of Baleshwar Prasad Sinha, Resident of Village - Chintamanipur, P.O. - Madarna, P.S. - Vaishali, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Jehanabad, District - Jehanabad.
5. The District Programme Officer Establishment, Jehanabad, District - Jehanabad.
6. The Block Education Officer, Ghosi, District - Jehanabad.
7. The Bihar School Examination Board through the Secretary.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 6448 of 2016



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1. Sheonath Prasad Singh son of Late Ramchandra Singh Resident of Village- Afzalpur, Puraina, P.O. Nauachak, P.S. Patepur, District- Vaishali at Hajipur.
 2. Dinesh Kumar Singh, son of Late Bishundeo Singh, Resident of Village and P.O. Belwa, P.S. Belsar O.P., District- Vaishali at Hajipur.
 3. Shail Kumari Devi, wife of Sri Rajendra Upadhyay, Resident of Village- Kauria, P.O. Jaitipur, P.S. Lalganj, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Jehanabad, District- Jehanabad.
5. The District Programme Officer Establishment, Jehanabad, District- Jehanabad.
6. The Block Education Officer, Hulasganj, District- Jehanabad.
7. The Block Education Officer, Runnisaidpur, District- Jehanabad.
8. The Bihar School Examination Board through the Secretary.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6486 of 2016

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1. Ashok Kumar Son of Shashi Bhushan Prasad Singh, resident of village- Hussaina Raghaw, PO- Balukaram, District- Vaishali
 2. Vinod Kumar, Son of Anutha Singh, resident of village- Hussaina Raghaw, PO- Balukaram, District- Vaishali
 3. Umesh Singh, son of Parsuram Singh, resident of village and PO- Madhopur, District- Vaishali
 4. Umesh Sharma, son of Ramjee Sharma, resident of village- Hussaina Raghaw, PO- Balukaram, District- Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna
3. The District Program Officer, Establishment, Jahanabad, District- Jahanabad
4. The District Education Officer, Jahanabad, District- Jahanabad
5. The Block Education Officer, Makhdumpur, Jehanabad.



... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 9350 of 2016

1. Shamim Ahmad Prawez son of Late Sekhawat Hussain resident of Sekhawat Bara, Muslim Road, Police Station- Nawada, District- Nawada.
2. Vijay Kumar Sharma Son of Sri Jageshwar Sharma resident of Village- Khaira Khurd, Police Station- Govindpur, District- Nawada
3. Yadunandan Prasad son of Baleshwar Singh resident of Sohdi, Police Station- Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Chief Secretary
2. The Principal Secretary Human Resources Department, Ministry Education Department, Bihar, Patna.
3. The Registrar, Magadh University, Bodh Gaya
4. The Principal, Sohsarai College, Biharsharif, Nalanda.
5. The Director, Primary Education, Education Department, Bihar, Patna.
6. The District Magistrate, Nawada
7. The District Education Officer, Nawada.
8. The District Programme Officer Establishment, Nawada.
9. The Block Education Officer, Hisua, Nawada
10. The Block Education Officer, Nawada, Nawada.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 23740 of 2018

Md. Rafique S/o Mehdi Hasan R/o Village- Kasma, Post Lakshmipur, Police Station-Chakand, District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary of Human Resource Development Department, Government of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Gaya
5. The District Education Officer, Gaya
6. The District Programme Officer, Establishemt, Gaya



7. The Block Education Officer, Mohanpur Block, District- Gaya

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 24481 of 2018

Subhash Singh Son of Late Basudeo Singh Resident of Village-Bandh
Rasalpur, Police Station-Islampur, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal secretary, Human resource Development department, govt. of Bihar, Patna.
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Gaya.
5. The District Education Officer, Gaya
6. The District programme Officer Establishment, Gaya.
7. The Block Education Officer, Khijersarai Block, District-Gaya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 24508 of 2018

Anita Kumari D/o Late Nagendra Singh an Prakhand Teacher, Middle School
Sherpur-Pakari, P.S. and Block Akbarpur, Distt.-Nawada(Bihar)

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Deptt. of Education, New Secretariat, Vikas Bhawan, Patna
2. The Principal Secretary, Deptt. of Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna
3. The Director(Primary Education), Deptt. of Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna
4. The District Education Officer, Nawada
5. The District Programme Officer, Nawada
6. The Block Development Officer-cum-Secretary, Prakhand Teacher Employment Unit, Albarpur, Post and PS Akbarpur, Distt.-Nawada

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 24551 of 2018



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Mina Kumari Daughter of Sri Moti Prasad Resident of Village- Khanetu,
Post- Khanetu, Police Station- Panchanpur (Tekari), District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Gaya
5. The District Education Officer, Gaya
6. The District Programme Officer, Establishment, Gaya
7. The Block Education Officer, Gaya

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 24801 of 2018

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Md. Shamim Ahmad son of M.D. Nezamuddin resident of village-
Singhori, Police Station-Singhori, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Patna
5. The District Education Officer, Patna
6. The District Programme Officer, Establishment, Patna
7. The Block Education Officer, Bihta Block, District, Patna.
8. The Block Education Officer, Dulhin Bazaar Block, District-Patna.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 24880 of 2018

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Birjees Jahan Daughter of Sayyad Aminul Islam, Resident of village
Biharsarif, Police Station - Laheri, District - Nalanda

... .. Petitioner/s



Versus

1. The State Of Bihar through Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Patna
5. The District Education Officer, Patna
6. The District Programme Officer, Establishment, Patna
7. The Block Education Officer, Khusrupur Block, District Patna

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 750 of 2019

Nilu Kumari Daughter of Sri Kapildev Thakur Resident of 402, Nand and Shubh Apartment, Police Station- Civil Lines, District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Gaya
5. The District Education Officer, Gaya
6. The District Programme Officer, Establishment, Gaya
7. The Block Education Officer, Gaya Block, District- Gaya

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2044 of 2019

Md. Zafar Imam Son of Md. Absar Ali R/o Vill- Kasba, P.S. Shambhuganj, Distt.Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna Bihar



4. The District Magistrate, Banka
5. The District Education Officer, Banka
6. The District Programme Officer, Establishment, Banka
7. The Block Education Officer, Belhar Block, District Banka
8. The Block Education Officer, Rajaun Block, Distt. Banka

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2413 of 2019

Md. Bashar Faruque Son of Abdul Gafur Resident of Village- Ujani, Police Station- Naugachia, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Sheikhpura
5. The District Education Officer, Sheikhpura
6. The District Programme Officer, Establishment, Sheikhpura

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2819 of 2019

- 1.1. Afroz Begum W/o Late Md. Habibur Rahman Resident of Village- Manjathi, Police Station- Bandeya, District- Aurangabad.
- 1.2. Md. Faizan Sarwar Ansari Son of Late Md. Habibur Rahman Resident of Village- Manjathi, Police Station- Bandeya, District- Aurangabad.
- 1.3. Md. Gulam Sarwar Ansari Son of Late Md. Habibur Rahman Resident of Village- Manjathi, Police Station- Bandeya, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Aurangabad



5. The District Education Officer, Aurangabad
6. The District Programme Officer, Establishment, Aurangabad
7. The Block Education Officer, Daudnagar, Aurangabad

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 2853 of 2019

Md. Jamaluddin Nasir Ansari Son of Sagir Ahmad Ansari R/o Village- Islam Toli, P.S. Aurangabad, Distt. Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Aurangabad. Bihar
5. The District Education Officer, Aurangabad, Bihar
6. The District Programme officer, Establishment, Aurangabad, Bihar

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 5782 of 2021

1. RAJIV RANJAN SINHA S/o Shri Brijnandan Singh Resident of village- Gotiya, P.O. and P.s.- Asthawan, District- Nalanda
2. Ashok Kumar Sinha S/o Shri Prasad resident of village and p.o. and ps.- Bind, District- Nalanda
3. Ramesh Prasad S/o Late Brijnandan Mahto resident of village and P.O.- Bouri, P.s.- Kashichak, District- Nawada
4. Shahda Rahat, W/o Md. Ilyas resident of village and P.O.- Chakandara, P.s.- Chewara, District- Shiekhpora
5. Md. Rashid Akhter S/o Late Abu Mustaque Ahmed resident of moh- Yahiyapur, P.O. and P.s.- Sheikhpora, District- Sheikhpora
6. Alakh Niranjana S/o Late ramdev Singh resident of village and P.O. and P.s.- Salimpur via Khusrupur, District- Patna
7. Md. Abid Ansari S/o Md. Ilyas Ansari resident of village- Hansdit, P.O. and P.s. and District- Jamui
8. Md. Mansoor Alam S/o Md. Mahmood Alam resident of village Adsar, P.s. and District- Jamui
9. Md. Jawed Karim S/o Late Syed Raja Karim Shaharwardi, resident of



village- Makhdumpur via Baidrabad, P.s.- Parsi, District- Arawal

10. Md. Zubair Khan S/o Md. Quadir Khan resident of mohalla- Kamruddin Ganj, P.o.- Bihar Sharif, P.s.- Laheri District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna
2. The Director, Primary Education, Education Department, Govt. of Bihar, Patna
3. The District Education Officer, Arawal
4. The District Education Officer, Sheikhpura
5. The District Education Officer, Purnia
6. The District Education Officer, Jamui

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12472 of 2021

1. Ashok Kumar Malakar S/o Late Mishri Bhagat Resident of mohalla Nimganj, P.S.- Bihar Sharif, District- Nalanda.
2. Ranjan Kumar Sinha S/o Shri Yogendra Prasad Resident of mohalla Amber, P.S.- Bihar Sharif, District- Nalanda.
3. Sunil Kumar S/o Dwarika Singh Resident of Village Chainpur, P.S.- Bena, District- Nalanda.
4. Umesh Prasad S/o Late Anandi Mahto Resident of Village Nanan, P.S.- Silao, District- Nalanda.
5. Md. Shaukat Ali Khan S/o Late Md. Manjoor Khan Resident of mohalla Kaghzi, P.S.- Bihar Sharif, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
3. The District Education Officer Nalanda at Bihar Sharif.
4. The District Education Officer Nawada.
5. The District Programme Officer (Establishment) Nalanda at Bihar Sharif.
6. The District Programme Officer (Establishment) Nawada.

... .. Respondent/s

with



Civil Writ Jurisdiction Case No. 2683 of 2022

Md. Aasim Quraishi son of Md. Kasim Quraishi, resident of Mohalla-Sakunat, P.O. and Police Station-Biharsharif, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Education Officer, Nalanda at Biharsharif.
4. The District Programme Officer (Establishment), Nalanda at Biharsharif.
5. The Block Education Officer, Islampur, District-Nalanda.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 16735 of 2022

Upendra Yadav Son of Jaishi Lal Yadav, Resident of Village- Paroria, P.O.- Mangalgarh, P.S.- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief, Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The District Education Officer, Begusarai.
4. The District Programme Officer (Establishment), Begusarai.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 17163 of 2022

1. Awadh Kishore Sharma Son of Late Brahmdeo Sharma, Resident of Village-Sabalpur Babhantoli, P.O. and P.S.- Sonepur, District- Saran at Chapra.
2. Sahendra Prasad Singh Son of Late Lakshan Singh, Resident of Village-Shyampur, P.O.- Haujpura, P.S. and District- Vaishali.
3. Narendra Kumar Singh Son of Gambhira Singh, Resident of Village-Paharichak, P.O. and P.S.-Sonepur, District- Saran at Chapra.
4. Baldeo Sharma Resident of Village- Sabalpur Babhantoli, P.O. and P.S.- Sonepur, District- Saran at Chapra.

... .. Petitioner/s

Versus



1. The State of Bihar through the Additional Chief, Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The District Education Officer, Gopalganj.
4. The District Programme Officer (Establishment), Gopalganj.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 892 of 2023

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1. Nagendra Kumar Sharma Son of Chandradeep Singh Resident of P.O.- Sabalpur, P.S.-Sonepur, District-Saran, Pin Code-841101
2. Suneeta Kumari Wife of Navalkishor Singh Resident of Ward No. 02, P.O.- Bajitpur, P.S.-Chaturpur, District-Saran, PIN Code-841217

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. Director, Primary Education, Education Department, Bihar, Patna.
3. District Education Officer, Saran, Chapra.
4. District Programme Officer (Establishment), Saran, Chapra.
5. District Programme Officer, PM Poshan Scheme, Saran
6. Principal-Cum-Secretary, Lord Budha Mission Primary Teachers Training College, Kartahan District-Vaishali.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 3072 of 2023

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1. Kumari Chanchala Wife of Sri Keshav Kumar Singh, Resident of Village-Bedauliya, P.O.- Anirudh Belsar, P.S. and District- Vaishali, Presently posted in U.M.S. Sujawalpur, Block- Pokhraira Saraiya, District- Muzaffarpur.
2. Nirmala Sinha Wife of Sri Ramji Prasad Singh, Resident of Village-Bahilwara Khorampur, P.O.- Bahilwara Rupnath, P.S. and District-Muzaffarpur, Presently posted in M.S. Gorigamadih, Block- Saraiya, District- Muzaffarpur.
3. Pushpa Kumari D/o Late Ram Agar Singh, Resident of Nawal Kishore Nagar, Near DAV School, P.O.- Khabara, District- Muzaffarpur, Presently posted in P.S. Siho SC, Block- Sakra, District- Muzaffarpur.
4. Manju Kumari D/o Sabhajit Singh, Wife of Sri Subodh Kumar, Resident of Village- Balia, P.O. and P.S.- Kurhani, District- Muzaffarpur, Presently posted in P.S. Dhodhi Anandkar, Block- Kurhani, District- Muzaffarpur.
5. Raghvendra Yadav Son of Sri Bhola Yadav, Resident of Goraul, P.O. and



P.S.- Goraul, District- Vaishali, presently posted in U.M.S. Chadhua, Block- Kudhani, District- Muzaffarpur.

6. Sanjay Kumar Son of Sri Ram Pukar Chaudhary, Resident of Maripur, Chitraguptpuri, P.O. and P.S.- Mohammadpur Kazi, District- Muzaffarpur, presently posted in P.S. Chochaha, Block Pokhraiya Saraiya, District- Muzaffarpur.
7. Krishna Nath Tiwari Son of Ram Ugrah Tiwari, Resident of Village- Rampur Situwhi, P.O.- Karnaul, P.S.- Sahebganj, District- Muzaffarpur, Presently posted in U.M.S. Situahi, Block- Sahebganj, District- Muzaffarpur.
8. Shyam Nandan Singh Son of Julum Singh, Resident of Village- Sendaury , P.O.- Sendaury Govind, P.S. and District- Vaishali, Presently posted in U.M.S. Mahal, block- Minapur, District- Muzaffarpur.
9. Rajbanshi Singh Son of Sukhdeo Singh, Resident of Village- Panapur, P.O.- Phoiyar, P.S.- Jandaha, District- Vaishali, presently posted in M.S. Pitthauri, Block- Baniapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The District Education Officer, Muzaffarpur.
4. The District Education Officer, Saran.
5. The District Programme Officer (Establishment), Muzaffarpur.
6. The District Programme Officer (Establishment), Saran.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 24355 of 2018)

For the Petitioner/s : Mr. Ram Sagar Singh, Advocate
For the State : Mr. Jitendra Kr. Roy 1, SC-13
For the Magadh University: Ms. Prakritita Sharma, Advocate

(In Civil Writ Jurisdiction Case No. 4689 of 2016)

For the Petitioner/s : Mr. S.B.K. Mangalam, Advocate
Ms. Anita Kumari, Advocate
For the State : Mr. Raghwanand, GA-11
Mr. Sanjay Kumar Tiwary, AC to GA-11
For the Board : Ms. Kanu Priya, Advocate
Mr. Abhishek Anand, Advocate
Ms. Sushmita Sharma, Advocate

(In Civil Writ Jurisdiction Case No. 6448 of 2016)

For the Petitioner/s : Mr. S.B.K. Mangalam, Advocate
Ms. Anita Kumari, Advocate
For the Board : Ms. Kanu Priya, Advocate
Mr. Abhishek Anand, Advocate
Ms. Sushmita Sharma, Advocate

For the State : Ms. Supragya, AC to GP-7

(In Civil Writ Jurisdiction Case No. 6486 of 2016)



For the Petitioner/s : Mr.Nand Kishore Singh
 For the Respondent/s : Mr.Kinkar Kumar- SC-27
 (In Civil Writ Jurisdiction Case No. 9350 of 2016)
 For the Petitioner/s : Mr.Uma Shankar Sharma, Advocate
 Mr. Shiw Kumar Prabhakar, Advocate
 For the Magadh University: Ms. Prakritita Sharma, Advocate
 For the State : Mr.Sarvesh Kumar Singh, AAG-13
 Mrs. Sunita Kumari, AC to AAG-13
 (In Civil Writ Jurisdiction Case No. 23740 of 2018)
 For the Petitioner/s : Mr.Sanjeev Kumar Singh
 For the Respondent/s : Mr.Madanjeet Kumar -GP-20
 (In Civil Writ Jurisdiction Case No. 24481 of 2018)
 For the Petitioner/s : Mr.Ram Sagar Singh, Advocate
 For the Respondent/s : Ms. Namrata Singh, AC to GA-12
 (In Civil Writ Jurisdiction Case No. 24508 of 2018)
 For the Petitioner/s : Mr.Bijay Kumar Pandey
 For the Respondent/s : Mr.Kameshwar Kumar
 (In Civil Writ Jurisdiction Case No. 24551 of 2018)
 For the Petitioner/s : Mr. Ram Sagar Singh, Advocate
 For the Respondent/s : Mr.S.K. Ranjan, AC to GP-17
 (In Civil Writ Jurisdiction Case No. 24801 of 2018)
 For the Petitioner/s : Mr.Sanjeev Kumar Singh
 For the Respondent/s : Mr.Kameshwar Kumar- Gp17
 (In Civil Writ Jurisdiction Case No. 24880 of 2018)
 For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
 For the Respondent/s : Mr.Madhav Pd.Yadav -GP-23
 Mr. Arvind Kumar, AC to GP-23
 (In Civil Writ Jurisdiction Case No. 750 of 2019)
 For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
 For the Respondent/s : Mr.Madanjeet Kumar, GP-20
 (In Civil Writ Jurisdiction Case No. 2044 of 2019)
 For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
 For the Respondent/s : Mr.Kameshwar Kumar (GP-17)
 (In Civil Writ Jurisdiction Case No. 2413 of 2019)
 For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
 For the Respondent/s : Mr.
 (In Civil Writ Jurisdiction Case No. 2819 of 2019)
 For the Petitioner/s : Mr. Ram Sagar Singh, Advocate
 For the Respondent/s : Mr.Prabhakar Jha, GP-27
 Mr. Hari Mohan Mishra, AC to GP-27
 (In Civil Writ Jurisdiction Case No. 2853 of 2019)
 For the Petitioner/s : Mr. Ram Sagar Singh, Advocate
 For the Respondent/s : Ms.Binita Singh, SC-28
 (In Civil Writ Jurisdiction Case No. 5782 of 2021)
 For the Petitioner/s : Mr.Ram Sagar Singh, Advocate
 For the Respondent/s : Mr. Jitendra Kumar Roy-1, SC-13
 (In Civil Writ Jurisdiction Case No. 12472 of 2021)
 For the Petitioner/s : Mr.Ram Sagar Singh, Advocate
 For the Respondent/s : Mr.Prabhakar Jha, GP-27
 Mr. Hari Mohan Mishra, AC to GP-27
 (In Civil Writ Jurisdiction Case No. 2683 of 2022)
 For the Petitioner/s : Mr.Ram Sagar Singh, Advocate
 For the Respondent/s : Ms. Binita Singh (SC-28)
 (In Civil Writ Jurisdiction Case No. 16735 of 2022)
 For the Petitioner/s : Mr.Bipin Bihari Singh
 For the Respondent/s : Mr.Prabhakar Jha (Gp 27)
 (In Civil Writ Jurisdiction Case No. 17163 of 2022)



For the Petitioner/s : Mr.Bipin Bihari Singh
For the Respondent/s : Mr.Prabhakar Jha (GP- 27)
(In Civil Writ Jurisdiction Case No. 892 of 2023)
For the Petitioner/s : Mr.Abhinav Srivastava
For the Respondent/s : Mr.Prabhakar Jha (GP- 27)
(In Civil Writ Jurisdiction Case No. 3072 of 2023)
For the Petitioner/s : Mr.Bipin Bihari Singh
For the Respondent/s : Mr.Prabhakar Jha (GP- 27)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

20 08-09-2023 All these writ applications have been listed on mentioning made by learned counsel for the petitioners saying that these cases would be covered by the recent judgment dated 28.08.2023 delivered by Hon'ble Division Bench of this Court in L.P.A. No.1254 of 2016 arising out of CWJC No.16580 of 2014 and other analogous matters.

2. Mr. S.B.K. Mangalam, learned counsel representing the petitioners in CWJC No.6448 of 2016 and CWJC No.4689 of 2016 has placed before this Court another judgment of the Hon'ble Division Bench rendered on 06.10.2018 in L.P.A. No.1309 of 2017 and L.P.A. No.1310 of 2017 arising out of CWJC No.3932 of 2016 and CWJC No.4506 of 2016 respectively.

3. It is jointly submitted by learned counsel for the petitioners that these petitioners also figured in the list of 34,540 elementary teachers approved by the Hon'ble Apex Court on the recommendation made by Hon'ble Mr. Justice S.K. Chattopadhyay (Retd.) Committee.



4. Learned counsel submits that the Hon'ble Supreme Court has in it's judgment in SLP © No.26824 of 2012 directed inter-alia as under:-

“... We make it clear that none of the persons appointed out of the 34,540 vacancies should be disturbed in any way, but the question of filling up the balance vacancies may be taken into consideration, while disposing of the applications in question.”

5. It is, in view of the aforementioned clarity given by the Hon'ble Supreme Court in it's judgment, the Hon'ble Division Bench of this Court has held in L.P.A. No.1254 of 2016 and other analogous matters that there could be no termination on the basis of a further verification. The views expressed by the Hon'ble Division Bench of this Court may be found in paragraph '16' as under:-

“16. We are of the definite opinion that in the present case where all the party-respondents were appointed as per the directions of the Hon'ble Supreme Court, under the supervision of Justice Chattopadhyay, cannot be terminated on grounds of qualifications not having been properly verified; unless otherwise permitted by the Hon'ble Supreme Court. The party respondents were appointed after their eligibility being settled by Justice Chattopadhyay, appointed by the Hon'ble Supreme Court, to oversee the



selection and appointment of teachers to the vacant posts, identified as available, as per the undertaking made by the State before the Hon'ble Supreme Court. Though the verification of credentials and qualifications of the candidates were directed to be done, there could be no such verification at this late stage. As noticed by the learned Single Judge in the impugned judgment the State ought to have been more vigilant when the appointments were carried out.”

6. Ms. Binita Singh, learned SC-28 for the State and learned counsel for the Bihar School Examination Board are present. It is submitted that if the petitioners are appointees from the list of 34,540 candidates which was approved by the Hon'ble Supreme Court, then the Hon'ble Division Bench judgment would be applicable in their cases as well.

7. Having regard to the submissions noted hereinabove, in view of the developments in the form of Hon'ble Division Bench judgment in L.P.A. No.1254 of 2016 and other analogous cases, this Court sets aside the impugned orders of termination in the respective writ applications and directs the respondents to consider the case of the petitioners keeping in view the Bihar Litigation Policy, 2011 in the light of the judgments of this Court rendered in L.P.A. No.1254 of 2016 and other analogous matters, L.P.A. No.1309 of 2017 and L.P.A.



No.1310 of 2017 and grants similar benefits to the petitioners as have been given to the other terminated teachers of the said list.

8. Let the entire exercise be completed within a period of three months from the date of receipt/production of a copy of this order.

9. These writ applications are allowed to the extent indicated hereinabove.

(Rajeev Ranjan Prasad, J)

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