

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2259 of 2019

1. Md. Aurangjeb Alam and Ors Son of Md. Raquib, Resident of Village Mahendrapur, Post- Bhoga, Bhatgama, P.S.- Sadar, Muffasil, Raniputra, District- Purnea.
2. Surya Narayan Thakur, S/o Tej Narayan Thakur, Resident of Billage- Abdulla Nagar, P.O.- Pokharia, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
3. Laxmi Gupta, Wife of Satya Narayan Sah, Village and Post Belouri, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
4. Munni Kumari, W/o Jai Kishor, Resident of Village Mahendrapur, P.O. Bhoga Bhatgama, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
5. Shekh Sazzad, Son of Shekh Kurban, Resident of Birpur Lokhara, P.O. Raniputra, P.S. Sadar, Muffasil, District- Purnea.
6. Zuber Alam, Son of Md. Saifuddin, resident of Village Uchitpur, P.O.- Rautara, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
7. Mohammad Sarafaraj Ansari, Son of Mohammad Atabul, resident of Village- Lalganj, P.O.- Lalganj, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
8. Rajendra Prasad Rajak, Son of Satya Narayan Rajak, Resident of Village Birpur, P.O. Pokharia, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
9. Shahanaj Banoo, Wife of Md. Yunus, Resident of Village Chhatia, P.O. Bhoga Bhatgama, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
10. Ashok Kumar, Son of Late Bishwnath Chauhan, Resident of Village Tira, P.O. Gaura, Panchayat Gaura, P.S.. Sadar, Muffasil, Raniputra, District- Purnea.
11. Gangotri Kumari, W/o Mithilesh Kumar, Resident of Village Birpur, P.O. Pokharia, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
12. Jitendra Kumar Yadav, Son of Dinesh Prasad Yadav, resident of Village- Rampur Belwa, P.O.- Belwa, P.S. Sadar Muffasil, Ranipatra, District- Purnea.
13. Prakash Kumar Suman, S/o Arun Kumar Yadav, Resident of Village Maranga West, P.O. Maranga, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
14. Pushpa Kumari, Wife of Diwakar Yadav, Resident of Villaf- Ufrail, P.O. Lalganj, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
15. Hena Devi, Wife of ShailendraThakur, Resident of Village- Maranga West, P.O. Maranga, P.S. Sadar, Muffasil, Raniputra, District Purnea.
16. Panchurishi, Son of Jhagaru Rishi, Resident of Village Milki P.O. Lalganj, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
17. Pratibha Kumari, W/o Pankaj Sarkar, Resident of Village Chandi Kathwa, P.O. Ranipatra, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
18. Pinki Kumari, Wife of Sanjay Kumar Sah, Resident of Village Raziganj, P.O. Ranipatra, P.S. Sadar, Muffasil, Raniputra, District- Purnea.



19. Rajeev Kumar Verma, Son of Vijay Kumar Verma, Resident of Kamalpur, P.O. Ranipatra, P.S. Sadar, Mufassil, Raniputra, District- Purnea.
20. Mithilesh Kumar Yadav, Son of Jiwachhlal Yadav, Resident of Village Diwanganj, P.O. Rautara, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
21. Soni Bharti, Wife of Ashok Rajak Resident of Village Diwanganj, P.O. Ranipatra, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
22. Menka Kumari, Wife of Rajnish Kumar Bharti, Resident of Village Hansda, P.O. Gulabbagh, P.S. Sadar Purnea, District- Purnea.
23. Rabish Kumar, S/o Amod Prasad Yadav, Resident of Village Hansda, P.O. Gulabbagh, P.S. Sadar Muffasil, P.S. Ranipatra, District- Purnea.
24. Pinki Kumari, W/o Umakant Mandal, Resident of Village Lalganj Kisan Tola, P.O. Lalganj, P.S. Sadar Muffasil, Ranipatra, District- Purnea.
25. Dulari Soren, Wife of Bijay Hansda, Resident of Village Madarpur, Pokharia, P.O. Barsauni, P.S. Sadar Muffasil, Raniputra, District- Purnea.
26. Md. Asif Anjun Rahi, Son of Md. Jasimuddin, Resident of Village Fasiya, P.O. Pokharia, P.S. Sadar, Muffasil, Raniputra, District- Purnea.
27. Asutosh Kumar Mishra, Son of Amarnath Mishra, Resident of Village Rasadh, P.O. Rasadh, P.S. Banmankhi, District- Purnea.
28. Nandani Kumari, Wife of Ajay Kumar Mandal, Resident of Village Madhepura, P.O. Rasadh, P.S.- Banmankhi, District- Purnea.
29. Wakil Kumar Mandal, Son of Pradip Kumar Mandal, Resident of Village Dhokar Adhara, P.S. Banmankhi, District- Purnea.
30. Mamta Kumari, Wife of Abhishek Ranjan, Resident of Village Dhokar Adhara, P.S. Banmankhi, District- Purnea.
31. Soni Kumari, Wife of Santosh Mandal, Resident of Village Dhokar Adhara, P.S. Banmankhi, District- Purnea.
32. Soni Kumari, Wife of Udayshakar Prasad, Resident of Village Banmankhi Chekla, P.S. Banmankhi, District- Purnea.
33. Binod Kumar, Son of Late Bhedi Yadav, Resident of Village Kabaiya, P.O. Harda, Prakhand Purnea, P.S. Maranga, District- Purnea.
34. Usha Kumari, Wife of Vinay Kumar, Resident of Village Kabaiya, P.O. Harda, Prakhand- Purnea, P.S. Maranga, District- Purnea.
35. Zeenat Ara, Daughter of Md. Ilyas, Wife of Abdul Kalam, Resident of Dangraha, P.O. and P.S. Baisi, District- Purnea.
36. Farida Akhtari Khatoon, W/o Badrudin, Resident of Village Lelka, P.O. Marua, P.S.- Baisi, District- Purnea.
37. Rajendra Kumar Jha, Son of Vinod Jha, Resident of Village Angarhat, P.O. and P.S. Angarhat, District- Purnea.
38. Palas Roy, Son of Kusum Lal Roy, Resident of Village Khutia, P.O. Khoksa, P.S. Baisi, District- Purnea.
39. Punam Kumari, Wife of Babulal Sah, Resident of Village Baraya Badwabari Kadwa Barari, P.S. Durgaganj Kadwa, District- Katihar.

... .. Petitioner/s



Versus

1. The State Of Bihar and Ors through the Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
2. The Additional Secretary, General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
4. The Director, Mass Education, Education Department, Government of Bihar, Patna.
5. The Joint Director, Mass Education Department, Govt. of Bihar, Patna.
6. The Director (Administration) Education Department, Government of Bihar, Patna.
7. The Deputy Director (Administration) Education Department, Govt. of Bihar, Patna.
8. The District Magistrate, Purnea.
9. The District Education Officer, Purnea.
10. The District Magistrate, Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (SC-16), Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-10-2023

1. Heard learned counsel for the parties.

2. The thirty nine petitioners who were working as Prerak under the Sakshar Bharat Scheme have approached this Court for quashing of Letter No. 1682 dated 02.08.2018 and further for non-payment of remuneration for few months since 2016 *inter alia* other reliefs prayed in the writ application.

3. Learned counsel for the petitioners submits that similar writ application was filed by similarly situated retrenched Prerak before this Court in C.W.J.C. No. 12530 of 2019 which has been disposed of by order, dated 04.07.2019,



passed by a Co-ordinate Bench of this Court with following directions as contained in Paragraph 10 and 11 of the above said order:-

10. All that this Court can direct is that in case such a scheme is reintroduced by extending its term or launching another scheme of similar nature, the State Government in its Education Department shall consider the candidature of the petitioners because of the experience that they have gained in imparting adult education and removing the illiteracy from the State of Bihar. In that event, it would be open for the petitioners to appear before the concerned authorities and request them to give the petitioners weightage for their experience that they have gained and perhaps relaxation of the age requirement if fixed under the scheme.

11. However for the period that the petitioners have worked during the subsistence of the scheme, they are required to paid for the same. Since some of the petitioners have not been paid their honorarium from September 2016, this Court directs such petitioners who have not been paid their honorarium to make a representation before the Director, Mass Education, Education Department,



Government of Bihar, Patna (respondent no. 5), who would ensure prompt payment of the honorarium for the period that the petitioners have worked.

4. Accordingly, the submission is that the case of the petitioners is squarely covered by the aforesaid judgment and this writ application may also be disposed in terms of the directions issued by a Co-ordinate Bench of this Court in C.W.J.C. No. 12530 of 2019

5. Learned counsel for the State has no objection, accordingly, the present writ application is disposed squarely in terms of directions issued by a Co-ordinate Bench of this Court in C.W.J.C. No. 12530 of 2019.

(Anil Kumar Sinha, J)

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