

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2929 of 2023

1. Kishor Sharma Son of Late Atma Sharma, resident of Mohalla- Bari Khanjarpur, P.S.- Barari, District- Bhagalpur, presently posted as Clerk in Girls Inter School Sabour, Bhagalpur.
2. Pradeep Kumar, S/o Late Jaideo Prasad Singh, resident of Village-Kankaithi, Simeria, P.S. Jagdishpur, District- Bhagalpur, presently posted as Clerk in High School Kajraili, Nathnagar, District- Bhagalpur.
3. Bankat Raman Kumar, Son of Late Bhagwat Pandit resident of Village-Gauripur, P.S.- Bihpur, District- Bhagalpur, presently posted as Clerk in High School Sabour, Bhagalpur.
4. Ankit Kumar Singh, S/o Late Jyotish Prasad Singh, resident of Village-Bahadurpur, P.S.- Barari (Industrial), District- Bhagalpur, presently posted as Clerk in High School, Sabour, Bhagalpur.
5. Sunil Kumar Singh, S/o Late Sacchidanand Singh, resident of Mohalla-Chhoti Khanjarpur, P.S.- Adampur, District- Bhagalpur presently posted as Clerk in High School, Tarar, Sonaula, District- Bhagalpur.
6. Purushottam Kumar, S/o Late Shivnarayan Mahto, resident of Village-Khajuria, P.S.- Kahalgaon, District- Bhagalpur, present posted as Plus 2 Sir Sahay Girls School, Kahalgaon Bhagalpur.
7. Pankaj Kumar, Son of Late Maheshwari Prasad Tanti, resident of Village-Pain, P.S.- Sultanganj, District- Bhagalpur, presently posted as Plus 2 R.H.M.T.B. School, Barari, Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, General Administrative Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. The Collector, Bhagalpur.
5. The Regional Deputy Director, Education, Bhagalpur.
6. The District Education Officer, Bhagalpur.
7. The District Programme Officer (Establishment), Education Department, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Shrivastava, Advocate
For the Respondent/s	:	Mr. Madanjeet Kumar, (GP-20)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER



2 21-12-2023 Petitioners had earlier approached this Court in CWJC No. 5851 of 2021 seeking direction against the respondents that the petitioners who are working as clerk in different High School in the district of Bhagalpur be given opportunity of being appointed as a teacher to the extent of 5% of total post of the teachers as per the Service Rules. The writ application of the petitioners was disposed of by a Bench of this Court on 30.03.2022 with liberty to file representation before the Regional Deputy Director Education, Bhagalpur with further direction to the RDD to consider the grievances of the petitioners to take a decision within three months. Learned counsel submits that pursuant to the aforesaid liberty the petitioners vide Annexure-8 filed their representation before the Regional Deputy Director Education, Bhagalpur who by his order dated 22.08.2022 rejected the claim of the petitioners on the ground that the RDD is not having jurisdiction in such matters. Learned counsel next submits that after the order dated 22.08.2022 passed by the RDD the petitioners have filed fresh representation before the Director Secondary Education, Bihar Patna on 06.12.2022 which has been annexed as (Annexure- 10) to present writ application.

2. Regard being had to the submission made by the



(Anil Kumar Sinha, J)

U			
---	--	--	--

