

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19677 of 2021

1. Santosh Kumar Son of Chandeshwar Ray, Resident of Village Muneharva, P.O. Pipradhi, P.S. Bajpatti, District - Sitamarhi.
2. Madhurendra Kumar Ravi Son of Kishori Singh, resident of Village Bakhari, P.O. Yogivana, P.S. Bathnaha, District - Sitamarhi.
3. Ram Vikash Kumar Singh, Son of Suresh Singh, resident of Village Khairwa, P.O. Bhiswa, P.S. Bela, District - Sitamarhi.
4. Santosh Kumar, Son of Baiju Prasad, resident of Koat Bazar, Ward No. 13, P.O. Koat Bazar, P.S. Sitamarhi Sadar, District - Sitamarhi.
5. Bipul Kumar, Son of Ram Naresh Sharma, resident of Village Balha, P.O. and P.S.- Parsauni, District - Sitamarhi.
6. Rameshwar Nath Tiwari, Son of Purusotam Tiwari, resident of Village Mahuari, P.O. Mahuari, P.S. Kochas, District - Rohtas.
7. Suman Saurabh, Son of Sumangal Prasad Singh, resident of Village Baltara, P.O. Phulwaria, P.S. Gogri, District - Khagaria.
8. Md. Danish Ansari, Son of Md. Zubair Ansari, resident of Village Dilgouri, P.O. Sultanganj, P.S. Sultangaj, District - Bhagalpur.
9. Md. Ashif Akbal Ansari, Son of Md. Umar Ansari, resident of Village Dilgouri, P.O. Sultanganj, P.S. Sultanganj, District - Bhagalpur.
10. Sant Kumar, Son of Makeshwar Mahto, resident of Village Rampur Parori East, P.O. Banchauri, P.S. Sitamarhi, District - Sitamarhi.
11. Pintu Kumar Singh, Son of Satyanarayan Singh, resident of Village Sugahi, P.O. Chhaurahiya, P.S. Sahiyara, District - Sitamarhi.
12. Jeewachh Kumar Sahu, Son of Sogarath Sahu, resident of Village Baghmari, P.O. Haranhiya, P.S.- Sahiyara, District - Sitamarhi.
13. Nandkishor Kumar, son of Mohan Singh, resident of Village Jalsi, P.O. Harnahiya, P.S. Sahiyara, District - Sitamarhi.
14. Gautam Kumar, Son of Rajendra Yadav, resident of Village Balhampur, P.O. Balhampur, P.S. Bakhtiyarpur, District - Saharsa.
15. Manish Raj, Son of Vishwanath Pandey, resident of Village Bankat Mushahri, P.O. Ratanmala, P.S. Majhaulia, District West Champaran.
16. Ashwini Kumar Ojha, Son of Late Ashok Kumar Ojha, resident of Village Gayghat, P.O. Gayghat, P.S. Brahmapur, District - Buxar.
17. Manoj Kumar Thakur, son of Late Ram Pratap Thakur, resident of Village and P.O. Harri Dularpur, P.S. Sursand, District - Sitamarhi.
18. Sudhir Kumar Son of Madan Chaudhary, resident of Village Nawalpur, P.S. Nawalpur, District - West Champaran.
19. Vijay Kumar, Son of Vishnudev Mahto, resident of Village Mustafapur, P.O. Mahamadpur Shakra, P.S. Bibhutipur, District - Samastipur.
20. Bhushan Kumar Sah, Son of Ram Ashish Sah, resident of Village Madhaipur, P.O. Madhaipur, P.S. Dalsingh Sarai, District - Samastipur.



21. Md. Mustaq Ansari, Son of Md. Nabi Rasool Ansari, resident of Village Bansdih, P.O. Madarpur, P.S. Bheldi, District - Saran.
22. Rakesh Kumar, Son of Shiv Sharan Roy, resident of Village Ghughala, P.O. Bhandabari, P.S. Choraut, District - Sitamarhi.
23. Madhavendra Kumar Thakur, Son of Late Ghura Thakur, resident of Village Chautarwa Bargoan, P.S. Bargoan, P.S.- Bagaha, District - West Champaran.
24. Sudhir Kumar Yadav, Son of Jagdish Yadav, resident of Village Murila, P.O. Ramnagar, P.S. Ramnagar, District - West Champaran.
25. Akhilesh Kumar Yadav, Son of Late Suresh Prasad Yadav, resident of Village and P.O. Parsa, P.S. Bagaha, District - West Champaran.
26. Upendra Kumar Yadav, Son of Harish Chandra Yadav, resident of Village Parautola, P.O. Mathiya, P.S. Lauriya, District - West Champaran.
27. Guddu Kumar Gupta, Son of Prahalad Sah, resident of Village Belwa, P.O. Lauriya, P.S. Lauriya, District - West Champaran.
28. Jainendra Kumar, Son of Ramlal Prasad, resident of Village Donwar, P.O. Barwaojha, P.S. Shanichari, District - West Champaran.
29. Umesh Prasad Gupta, Son of Vinod Prasad Gupta, resident of Village Sukhlahi, P.O. Bhaluwahiya, P.S. Mainatand, District - West Champaran.
30. Radheshyam Yadav, Son of Yogendra Yadav, resident of Village - Salaha, P.O. - Bariyarwa, P.S. Chautarwa, District - West Champaran.
31. Chandan Kumar Pandey, Son of Raja Pandey, resident of Village Lakar, P.O. Dhobini, P.S. Lauriya, District - West Champaran.
32. Kumar Ravi, Son of Umakant Prasad, resident of Village Krishnapuri Pawatiya Tola, P.O. - Belbagh, P.S. Mufilil Bettiah, District - West Champaran.
33. Md. Saddam Hussain, Son of Md. Kalim Uddin, resident of Village Suleman Nagar, P.O. Nawada, P.S. Nawada, District - Nawada.
34. Abdul Haque, Son of Md. Yasin Ansari, resident of Village Bhadaunt, P.O. Nawada, P.S. Nawada, District - Nawada.
35. Hemant Kumar Ray, Son of Suresh Kumar, resident of Village Jhikataura, P.O. Siswan, P.S. Nawada, District - Nawada.
36. Santosh Kumar Sah, Son of Fuleshwar Prasad Sah, resident of Village Bairiya Ward No. 12, P.O. Dabhari, P.S.- Supaul, District - Supaul.
37. Shankar Kumar Yadav, Son of Ramudagar Yadav, resident of Village Salempur, P.O. - Bhojparaul, P.S. Bisfi, District - Madhubani.
38. Ram Sagar Yadav, Son of Ram Sewak Yadav, resident of Village Balhi, P.O. Arer, P.S. Arer, District - Madhubani.
39. Vinay Kumar, Son of Arun Ray, resident of Village Bambaiya Harlal, P.O. Bambaiya Harlal, P.S. Dalsinghsarai, District - Samastipur.
40. Bhageerath Kumar, Son of Rampratap Singh, Resident of Village Bejor Sarakat, P.O. Jagmohra, P.S. Bithan, District - Samastipur.
41. Mukesh Kumar, Son of Upendra Mandal, resident of Village Sarhila, P.O. Boraj, P.S.- Hathauri, District - Samastipur.



42. Subhash Kumar Bharti, Son of Janardan Yadav, resident of Village Hira Patti, P.O. Koriyapatti, P.S. Triveniganj, District - Supaul.
43. Barun Kumar Vimal, Son of Fagu Yadav, resident of Village Patarghati, P.O. Triveniganj, P.S. Triveniganj, District - Supaul.
44. Sanjeev Kumar, Son of Shanichar Das, resident of Village Mahasinar, P.O. Singiawan, P.S. Kishanpur, District - Supaul.
45. Ram Pravesh Kumar, son of Domi Singh, resident of Village Ramnagar, P.O. Sirauli, P.S. Riga, District - Sitamarhi.
46. Rajesh Kant Thakur, Son of Parsuram Thakur, resident of Village Katariyan, P.O. - Kakariyan, P.S. Rajpur, District - Buxar.
47. Kunal Mithun Prakash, Son of Ram Ishwar Ram, resident of Village Sahejani, P.O. Hasan Bazar, P.S. Piro, District - Bhojpur.
48. Upendra Thakur, Son of Jokhu Thakur, resident of Village Mahna, P.O. Chanpatia, P.S. Chanpatia, District - West Champaran.
49. Rahul Kumar, Son of Kamaldev Sah, resident of Village Bhutahi, P.O. - Bhutahi, P.S. Sonbarsa, District - Sitamarhi.
50. Jawed Akhtar, Son of Ajibul Hassan, resident of Village and P.O. Chapiya Buzurg, P.S. Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Deputy Secretary, Education Department, Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5760 of 2022

1. Raj Kumar Son of Virchandra Mahto, resident of Village - Nista, P.O. - Haripur, P.S.- Alouli, District - Khagaria.
2. Vir Kumar Singh Son of Rajeshwar Singh, resident of Village and P.O. - Pratappur, P.S. Sandesh, District- Bhojpur.
3. Sanjay Kumar Son of Sahdev Prasad Yadav, resident of Village- Brahkurva, P.O.- Bhatni Bajhar, P.S.- Kumarkhand, District- Madhepura.
4. Sujit Kumar Jha Son of Gariv Jha, resident of Village and P.O. - Sirsi, P.S.- Nanpur, District- Sitamadhi.
5. Abhay Kumar Son of Chhote Lal Yadav, resident of Village and P.O.- Madhepura Kahra, P.S. and District - Madhepura.
6. Vibhash Kumar Yadav Son of Jaykant Yadav, resident of Village and P.O.- Latraha, P.S.- B- Kothi, District - Purnia.
7. Raman Kumar Son of Kapleshwar Prasad Yadav, resident of Village - Jitpur,



- P.O.- Jharkaha, P.S.- Shankarpur, District- Madhepura.
8. Kumar Gopal Gaurav Son of Manohar Prasad Yadav, resident of Village and P.O. and P.S.- Janaki Nagar, District - Purnia.
 9. Kamlesh Kumar Yadav Son of Gajendra Prasad Yadav, resident of Village- Vishnupur, P.O. - Khajedih, P.S.- Ladhniyan, District- Madhubani.
 10. Md. Hassan Murtaza Son of Md. Hashmuddin, resident of Village - Damalbari, P.O.- Singhia, P.S. - Paharkatta, District- Kishanganj.
 11. Shashi Bhushan Kumar, Son of Sitaram Sah, resident of Village and P.O. and P.S. - Shankarpur, District- Madhepura.
 12. Santosh Kumar Suman, Son of Late Shyam Kishor Yadav, resident of Village and P.O. and P.S.- Srinagar, District- Madhepura.
 13. Saroj Kumar Sinha Son of Basant Kumar Sinha, resident of Village - Barmani, P.O. Kharudah, P.S.- Powakhali, District- Kishanganj.
 14. Manoj Kumar Son of Raghunandan Prasad, resident of Village- Krishnapuri, P.O. - Kotwali, P.S. and District - Munger.
 15. Biresh Yadav Son of Dalsingar Yadav, resident of Village- Tulasiyan, P.S. - Uchka Gaown, District- Gopalganj.
 16. Mashudan Kumar Son of Kanhaiya Ram, resident of Village - Khilaphatpur, P.O.- Chausa, P.S.- Mufassil Buxar, District- Buxar 802114.
 17. Chandan Kumar Singh Son of Santosh Kumar Singh, resident of Village - Ahinaura, P.O. - Harinathpur, P.S.- Mohania, District - Kaimur.
 18. Aswani Kumar Son of Mahendra Singh, resident of Village and P.O. and P.S.- Jagdishpur, District- Bhojpur.
 19. Rahul Son of Sri Jagdeo Prasad Mahto, resident of Vishnupuri, P.O. - Anisabad, P.S.- Gardanibag, District - Patna.
 20. Amit Kumar son of Raj Kumar Prasad, resident of Village- Nagwan, P.O.- Chakwaja Nagwan, P.S. and District- Vaishali.
 21. Ajay Kumar Pandey Son of Yamuna Pandey, resident of Village - Pratapnagar, Old Chekpost, Mohaniya, P.O. and P.S.- Mohania, District - Kaimur.
 22. Nitesh Kumar Mandal son of Rajendra Prasad Singh, resident of Village - Pipara, P.O. - Basdiha, P.S.- Dinara, District - Rohtas.
 23. Dip Narayan Yadav, son of Murali Singh Yadav, resident of Village - Kulhariya, P.O. - Karmnasa, P.S.- Durgawti, District- Kaimur.
 24. Dinesh Singh Son of Parshuram Singh, resident of Village and P.O. and P.S.- Ramgarh, District- Kaimur.
 25. Raman Kumar, Son of Bipin Bihari Shrivastva, resident of Village- Rahunatpur, P.S. - Turkaulia, District- East Champaran.
 26. Brij Nandan Kumar, Son of Ganesh Sah, resident of Village and P.O. - Jiwadhara, P.S.- Pipra Kothi, District - East Champaran.
 27. Mukund Kumar Goswami Son of Deonandan Goswami, resident of Village- Parwan Ke Mathia, P.O. - Parwan, P.S.- Barharia, District- Siwan.
 28. Rajesh Sharma, Son of Shivjee Sharma, resident of Village- Chhatavni,



Motihari, P.S.- Chhatauni, District - East Champaran.

29. Jagannath Ray Son of Ramsanehi Ray, resident of Village and P.O.- Bedaul Asli, P.S.- Aurai, District- Muzaffarpur.
30. Madan Kumar Sharma, Son of Manraj Sharma, resident of Village - Manjhar, Sapahi, P.S.- Turkaulia, District - East Champaran.
31. Mahaveer Sah, Son of Sukhdev Sah, resident of Village - Nayagaon, P.O. and P.S.- Aurai, District- Muzaffarpur.
32. Anup Kumar Sharma, Son of Dhannjay Sharma, resident of Village - Kanthi Bathua, P.O. Bathva Bazar, P.S.- Phulwariya, District- Gopalganj.
33. Raju Prasad son of Harihar Prasad, resident of Village- Tulsian, P.O. - Sankhe Khas, P.S.- Uchakagawan, District - Gopalganj.
34. Sonu Kumar Singh Son of Bharat Narayan Singh, resident of Village and P.O. - Gidha, P.S.- Koilwar, District - Bhojpur.
35. Bandana Kumari Wife of Sharwan Kumar Srivastava, resident of Village/Muhalla - Narayani Bhawan Hospital Road, Siwan, P.S. and District- Siwan.
36. Pradeep Kumar Kushwaha son of Harihar Prasad, resident of Village- Tulsia, P.O. - Sankhe Khas, P.S.- Uchakagawon, District - Gopalganj.
37. Anil Kumar Tiwary Son of Shri Niwash Tiwary, resident of Village- Bishunpura, P.O.- Bampali, P.S. - Udwanthnagar, District - Bhojpur.
38. Ajit Kumar Sen Son of Ravindra Kumar Sinha, resident of Village - Dharmpur, P.O.- Satneri, P.S.- Mahakar, District- Gaya.
39. Jay Krishan Kumar Choudhary, Son of Nandlal Choudhary, resident of Village - Dhir Bajar, Ward No. 08, P.O. and P.S.- Banmankhi, District- Purnea.
40. Satya Prakash Verma, Son of Late Sudama Prakash Verma, resident of Village/Mohalla - Turha Toli Mahavir Sthan, P.O. and P.S. and District- Buxar.
41. Pappu Kumar Son of Meghanath Prasad, resident of Village and P.O. and P.S.- Dhansoi, District- Buxar.
42. Bhagwan Krishna Son of Late Chhiteshwar Prasad, resident of Village/Mohalla - Rambag, Buxar, P.O. and P.S. and District- Buxar.
43. Umesh Kumar Son of Mahanth Singh resident of Village/Mohalla- Lalachak, P.O. - Manikpur, P.S.- Dhansoi, District - Buxar.
44. Akhilesh Kumar Yadav Son of Satynarayan Singh Yadav, resident of Village/Mohalla - Semariya, P.O.- Manikpur, P.S.- Dhansoi, District - Buxar.
45. Vinay Kumar Singh, Son of Chandradeep Singh, resident of Village- Bahuara, P.O.- Shisharadh, P.S.- Rajpur, District- Buxar.
46. Ranjeet Kumar Son of Sadhusharan Prasad, resident of Village/ Mohalla- Dindyalganj, P.O.- Kovil, P.S.- Islampur, District- Nalanda.
47. Manoj Kumar Mishra, Son of Shaligram Mishra, resident of Village/Mohalla and P.O.- Mahuar, P.S. - Nainijor, District- Buxar.
48. Binod Kumar Son of Dinesh Kumar Singh, resident of Village/Mohalla - Mitralok Colony, P.O. - Pandey Patti, P.S. and District - Buxar.



49. Dhananjay Kumar Son of Omprakash Gupta, resident of Village/Mohalla and P.O.- Arthu, P.S.- Dinara, District- Rohtas.
50. Prashant Kumar, Son of Gopal Singh, resident of Village and P.O.- Mahdah, P.S. and District - Buxar.
51. Santosh Kumar, Son of Ramdeo Singh, resident of Village and P.O.- Atimi, P.S. - Nawanagar, District - Buxar.
52. Anil Kumar Pandey Son of Naradmuni Pandey, resident of Village - Dahigana, P.O. - Bisikalan, P.S.- Dinara, District - Rohtas.
53. Sonu Kumar Singh Son of Bishard Chaudhary, resident of Village and P.O. - Kapasiyan, P.S. - Kochas, District- Rohtas.
54. Braj Mohan Chaudhary, Son of Ram Sagar Chaudhary, resident of Village/Mohalla and P.O.- Nehrunagar, Buxar, P.S. and District - Buxar.
55. Dhananjay Kumar, Son of Baban Singh, resident of Village/Mohalla - Flat No. 203, Onanuradha Niketan, Ambedkar Chowk, Hanuman Nagar, Kankarbag, Patna, P.O.- Lohianagar, P.S. - Agamkuan, District- Patna.
56. Rakesh Kumar Son of Janardan Singh, resident of Village- Panditpura, P.O.- Akodha, P.S.- Dinara, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, (Primary Education) Education Department, Bihar, Patna.
4. The Deputy Secretary, Education Department, Govt. of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7006 of 2022

1. Mahesh Kumar Yadav son of Rameshwar Yadav, resident of Village and P.O.- Kumbhi, P.S.- Cheriya Bariyarpur, District- Begusarai.
2. Subhash Kumar son of Baraj Kishor Yadav, resident of Village- Tal Lakhanpur, P.O. and P.S.- Desari, District- Vaishali.
3. Abhinandan Kumar son of Durganand Sah, resident of Village and P.O.- Pipra, P.S.- Banmankhi, District- Purnea.
4. Mithun Kumar Jha son of Ravindra Prasad Sah, resident of Village- Banmankhi Chakla, P.O. and P.S.- Banmankhi, District- Purnea.
5. Shambhu Bharti son of Mantlal Yadav, resident of Village- Baniyapatti, P.O.- Kajha, P.S.- K. Nagar, District- Purnea.
6. Md. Ayub son of Md. Mahiuddin, resident of Village- Sahdratola, P.O. and P.S.- Chousa, District- Madhepura.
7. Sonu Kumar son of Naveen Bhagat, resident of Village- Chousa West, P.O. and P.S.- Chousa, District- Madhepura.



8. Mritunjay Kumar son of Lalan Prasad Sharma, resident of Village- Khutte Jogaili, P.O.- Jogaili, P.S.- K. Nagar, District- Purnia.
9. Ravindra Kumar son of Basant Prasad Gupta resident of Village- Mahawar, P.O. and P.S.- Daudnagar, District- Aurangabad.
10. Harinandan Kumar son of Rajendra Singh, resident of Village/ Mohalla- Ward No. 15, Ramnagar, Daudnagar, P.S.- Daudnagar, District- Aurangabad.
11. Anil Kumar son of Sakal Ray, resident of Village- Sadipur Rajauli, P.O.- Rajauli, P.S.- Hajipur, District- Vaishali.
12. Parmod Kumar son of Ramishwar Singh, resident of Village- Rajapakar South, P.O.- Rajapakar, P.O. and P.S.- Rajapakar, District- Vaishali.
13. Sanjeev Kumar son of Umesh Prasad Singh, resident of Village and P.O.- Narharpur, P.S.- Jandaha, District- Vaishali.
14. Raghunath Kumar Sah son of Prem Kumar resident of Village and P.O.- Chak Nawada, P.S. Dalsingh Sarai, District- Samastipur.
15. Tuntun Kumar Singh son of Nathuni Singh, resident of Village and P.O.- Sahuka, P.S.- Ramgarh, District- Kaimur.
16. Abhay Kumar Singh son of Anup Kumar Singh, resident of Village, P.O. and P.S.- Murarpur, District- Saran.
17. Dilip Kumar son of Hanik Yadav, resident of Village and P.O.- Tangra, P.S.- Barun, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director (Primary Education), Education Department, Bihar, Patna.
4. The Deputy Secretary, Education Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 19677 of 2021)

For the Petitioner/s : Mr. Maya Shankar Mishra
Mr. Satish Kumar

For the Respondent/s : Mr. Jitendra Kumar Roy 1 (Sc13)

(In Civil Writ Jurisdiction Case No. 5760 of 2022)

For the Petitioner/s : Mr. Maya Shankar Mishra

For the Respondent/s : Mr. Kameshwar Kumar (Gp17)

(In Civil Writ Jurisdiction Case No. 7006 of 2022)

For the Petitioner/s : Mr. Maya Shankar Mishra

For the Respondent/s : Mr. Madhaw Pd. Yadaw (Gp23)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA



ORAL ORDER

8 19-04-2023 Mr. Satish Kumar, learned counsel for the petitioners submits that I.A. No. 04 of 2023 has been filed by the intervenor applicants and now they seek permission to withdraw the aforesaid interlocutory application.

Permission is granted.

I.A. No. 04 of 2023 stands dismissed as withdrawn.

The petitioners have approached this Court for a direction to the respondents to include remaining vacancies of primary teachers of the year 2014 uptil now, against the advertisement dated 05.07.2019 and to conduct selection process applying the reservation roster properly in terms of notification dated 29.08.2019.

Learned counsel for the State submits that without availing the remedy before the District Appellate Authority, the petitioners have directly approached this Court for redressal of grievances.

He further submits that the District Appellate Authority of the concerned district has been constituted. Taking into consideration the nature of dispute raised by the petitioners, I deem it fit to dispose this writ application with liberty to the petitioners to approach the District Appellate Authority for redressal of their grievances.



It is made clear that if the appeal is filed by the petitioners within a period of one month alongwith condonation of delay petition, the District Appellate Authority shall consider the same in accordance with law.

With the aforesaid observation and direction, the writ application is disposed.

(Anil Kumar Sinha, J)

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