

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9405 of 2022**

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1. Suvash Chandra Diwakar Son of Late Arjun Prasad Baidya R/o Village- Simariya, P.O.- Vijayhat, P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School, Devda, Banka.
2. Shankar Harijan Son of Late Banarasi Harijan, R/o Village- Bari Bishahar, P.O.- Barahat, P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School, Saijpur, Banka.
3. Umesh Kumar Mandal Son of Anandi Prasad Mandal, R/o Village- Ban Barsha, P.O.- Khesar, P.S.- Belhar, District- Banka, (Bihar) at present posted in Upgraded Middle School, Domuhan, Banka.
4. Braj Mohan Mandal Son of Hari Mandal, R/o Village- Hirambi, P.O.- Hirambi, P.S.- Dhoraiya, District- Banka, (Bihar) at present posted in Upgraded Middle School, Koriyandha, Banka.
5. Jaikant Prasad Yadav Son of Late Jagdish Prasad Yadav, R/o Village- Kamaldih, P.O.- Prariya (Chakkadih), P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded Middle School, Nipaniya, Banka.
6. Jay Jay Ram Singh Son of Late Santoshi Singh, R/o Village- Jagatpur, P.O., P.S. and District- Banka, (Bihar) at present posted in Urdu Upgraded Middle School, Devda, Banka.
7. Mithilesh Paswan Son of Mahendra Paswan, R/o Village- Mallick Tola, P.O., P.S. and District- Banka, (Bihar) at present posted in Upgraded Middle School Purani Lahaita, Banka.
8. Santosh Kumar Son of Nawal Kishore Singh, R/o Village- Nilkanth Nagar, P.O.- G.P.O. Bhagalpur, P.S.- Isakchak, District- Bhagalpur, (Bihar) at present posted in Upgraded Middle School Chhatra Pal, Banka.
9. Chhabilal Das Son of Daharu Das, R/o Village- Idgah Road Bautola, P.O., P.S. and District- Banka, (Bihar) at present posted in Upgraded Middle School, P.S. Murgidih, Banka.
10. Md. Islam Son of Md. Ebrahim, R/o Village- Laxmipur, P.O., P.S. and District- Banka, (Bihar) at present posted in Urdu Upgraded Middle School, Chubhiya, Banka.
11. Kaushal Kishore Singh Son of Late Dashrath Prasad Singh, R/o village- Babutola Amar Durrand, P.O., P.S. and District- Banka, (Bihar) at present posted in Upgraded Middle School, Devda, Banka.
12. Pradip Kumar Choudhary Son of Naresh Prasad Choudhary, R/o Village- Nayatola, P.O., P.S. and District- Banka, (Bihar) at present posted in Upgraded Middle School, Kuttadih, Banka.
13. Prabhash Prasad Singh Son of Jagdish Prasad Singh, R/o Village- Barhouna, P.O.- Barhouna, P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School, Bhadrar Hindi, Banka.
14. Ram Bilash Das Son of Late Shivcharan Das, R/o Village and P.O.- Vijaynagar, P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded Middle School, Hiromoti, Banka.
15. Awadh Pd. Singh Son of Late Bhola Pd. Singh, R/o Village- Hirar, P.O.-



- Badhouna, P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School, Amarpur, Banka.
16. Bhairav Kumar Singh Son of Basuki Prasad Singh, R/o Village- Chilkawar, P.O.- Manihouni, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Rainiya, Banka.
  17. Md. Abdur Razzaque Ansari Son of Md. Habib Ansari, R/o Village- Aliganj, P.O.- Banka, P.S.- Banka, District- Banka, (Bihar) at present posted in Urdu Upgraded Middle School Boys, Banka.
  18. Vinod Pd. Singh Son of Nageshwar Pd. Singh, R/o Village- Haripur, P.O.- Haripur, P.S.- Banka, District- Banka, (Bihar) at present posted in A.M.S, Banka.
  19. Mukesh Kumar Singh Son of Naresh Pd. Singh, R/o Village- Jagatpur, P.O.- Banka, P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded Middle School, Amarpur, Banka.
  20. Jaykant Lal Son of Kishan Harijan, R/o Village- Pair, P.O.- Pair, P.S.- Dhoraiya, District- Banka, (Bihar) at present posted in Upgraded Middle School, Kateli, Banka.
  21. Gauri Shankar Das Son of Chhotan Das, R/o Village- Jagatpurt, P.O.- Banka, P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded Middle School, Chutiya, Banka.
  22. Bijay Kumar Das Son of Chhotan Das, R/o Village- Rajoun, P.O.- Rajoun, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Maheshadih, Banka.
  23. Bhanu Shankar Singh Son of Sachidanand Singh, R/o Village- Bishanpur, P.O.- Banka, P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded Middle School, Manjhiyara, Banka.
  24. Sarita Kumari Son of Dinesh Prasad Choudhary, R/o Village- Bijaynagar, P.O.- Bijaynagar, P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded Middle School, Baisa, Banka.
  25. Phul Kumar Mishra Son of Late Phanindra Chandra Mishra, R/o Village, P.O., P.S. and District- Banka, (Bihar) at present posted in Middle School, Parariya, Banka.
  26. Bipin Kumar Yadav Son of Late Lakhan Yadav, R/o Village- Babutola, P.O., P.S. and District- Banka, (Bihar) at present posted in Middle School, Parariya, Banka.
  27. Mohammad Shahbaaz Ansari Son of Mohammad Hasim Ansari, R/o Village- Rajoun, P.O.- Kunouni, P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded Middle School, Desra, Banka.
  28. Dharmendra Kumar Satyarthi Son of Satya Narayan Singh, R/o Village- Kathoun, P.O.- Kathoun, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Saijpur, Banka.
  29. Birendra Prasad Yadav Son of Raghuvir Prasad Yadav, R/o Village- Pitughiya, P.O.- Samukhiya, P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded Middle School, Marpa, Banka.
  30. Mithilesh Kr. Singh Son of Panchanan Singh, R/o Village- Babutola, P.O.- Banka, P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded



Middle School, Samukhiya, Banka.

31. Krishna Mohan Sharma Son of Ramji Sharma, R/o Village- Daliya, P.O. and P.S.- Baounsi, District- Banka, (Bihar) at present posted in Upgraded Middle School, Sirain Bounsi, Banka.
32. Rajendra Kumar Das Son of Ramesh Das, R/o Village- Navatola Parbatti, P.O. and P.S.- Bhagalpur, District- Bhagalpur, (Bihar) at present posted in Upgraded Middle School, Sirain Bounsi.
33. Md. Muniruddin Son of Md. Alauddin, R/o Village- Mahila, P.O.- Bishanpur, P.S.- Dhoraiya, District- Banka, (Bihar) at present posted in Upgraded Middle School, Hasanpur Dhoraiya, Banka.
34. Chandra Paswan Son of Jagdish Paswan, R/o Village- Khagra, P.O.- Khesar, P.S.- Belhar, District- Banka, (Bihar) at present posted in Upgraded Middle School, Khagra Fulli Dumar, Banka.
35. Rajesh Kumar Bhagat Son of Late Vidyanand Bhagat, R/o Village- Khesar, P.O.- Khesar, P.S.- Belhar, District- Banka, (Bihar) at present posted in Upgraded Middle School, Gera Tikar, Banka.
36. Dinesh Kumar Jha Son of Late Mahesh Kumar Jha, R/o Village- Madhuban, P.O.- Khesar, P.S.- Belhar, District- Banka, (Bihar) at present posted in Upgraded Middle School, Kadwar, Banka.
37. Surendra Kumar Son of Late Chhatradhari Pandit, R/o Village- Dausa, P.O.- Khesar, P.S.- Belhar, District- Banka, (Bihar) at present posted in Upgraded Middle School, Bajartar, Banka.
38. Binod Kumar Sharma Son of Late Yadunandan Sharma, R/o Village- Khesar, P.O.- Khesar, P.S.- Belhar, District- Banka, (Bihar) at present posted in Upgraded Middle School, Dasua, Fullidumar, Banka.
39. Md. Maroof Ansari Son of Late Md. Rahoof Ansari, R/o Village- Dahua, P.O.- Dahua, P.S.- Bounsi, District- Banka (Bihar) at present posted in Upgraded Middle School, Kaji Kairy Urdu Bounsi, Banka.
40. Md. Rasid Ansari Son of Late Md. Rahoof Ansari, R/o Village- Dahua, P.O.- Dahua, P.S.- Bounsi, District- Banka, (Bihar) at present posted in Upgraded Middle School, Chakai Neema Bounsi, Banka.
41. Dilip Kumar Singh Son of Jai Prakash Singh, R/o Village- Naugain, P.O.- Tella Laugain, P.S.- Fullidumar, District- Banka, (Bihar) at present posted in Upgraded Middle School, Ramchandrapur Naugain, Banka.
42. Md. Manowar Ansari Son of Md. Shabbir Ansari, R/o Village- Dahua, P.O.- Dahua, P.S.- Bounsi, District- Banka, (Bihar) at present posted in Upgraded Middle School, Dahua (Urdu), Banka.
43. Shiv Narayan Das Son of Late Babu Lal Das, R/o Village- Kaitha, P.O.- Rupsa, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Middle School, Rupsa Rajoun, Banka.
44. Bhagwan Tanti Son of Sukhdeo Tanti, R/o Village- Aonbabg Aliganj, P.O.- Mirjanhat, P.S.- Mojahidpur, District- Bhagalpur, (Bihar) at present posted in Middle School, Sighnan Rajoun, Banka.
45. Ganpati Sharma Son of Late Arjun Kumar Das, R/o Village- D.V.C. Aliganj, Bhagalpur, P.O.- Mirjonhat, P.S.- Jagdishpur, District- Bhagalpur, (Bihar) at present posted Middle School, Majhagain Rajoun, Banka.



46. Krishna Chandra Das Son of Late Siri Das, R/o Village- Sikandarpur, P.O.- Mirjanhat, P.S.- Mojahidpur, District- Bhagalpur, (Bihar) at present posted in Upgraded Middle School, Baraoun Rajaoun, Banka.
47. Santosh Kumar Singh Son of Kamleshwari Prasad Singh, R/o Village- Nayachak, P.O.- Mirjanhat, P.S.- Mojahidpur, District- Bhagalpur, (Bihar) at present posted in Upgraded Middle School, Bhagwanpur Rajaoun, Banka.
48. Rajiv Ranjan Son of Late Upendra Choubey, R/o Village and P.O.- Uprama, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Middle School, Majhagain Rajoun, Banka.
49. Vikash Paswan Son of Late Cheddi Paswan, R/o Village and P.O.- Singhnan, P.S.- Rajaoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Dhobidih Rajoun, Banka.
50. Gopal Mandal Son of Late Ram Bilash Mandal, R/o Village- Madhuban, P.O.- Khesar, P.S.- Belhar, District- Banka, (Bihar) at present posted in Middle School, Nawada Rajoun, Banka.
51. Biharilal Rajak Son of Kaleshawar Rajak R/o Village- Sakahara, P.O.- Vishnupur, P.S.- Rajoun, District- Banka, (Bihar), at present posted in Primary School, Nawada Bazar Rajoun, Banka.
52. Arun Kumar Singh Son of Late Ram Bilash Mandal, R/o Village- Madhuban, P.O.- Khesar, P.S.- Belhar, District- Banka, (Bihar) at present posted in Middle School, Nawada Rajoun, Banka.
53. Birendra Kumar Bimal Son of Sri Rasik Lal Yadav R/o Village- Nagel, P.O.- Bisanpur, P.S.- Belhar, District- Banka, (Bihar) at present posted in Upper Middle School, Abdachak Rajoun, Banka.
54. Rajesh Kumar Son of Late Shahdeo Roy, R/o Village- Asonani Chare, P.O.- Barndeo, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Middle School, Nawada Rajoun, Banka.
55. Bipin Kumar Jha Son of Late Baikunth Jha, R/o Village- Balthara, P.O.- Harchandi, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Urdu Middle School, Bishanpur Dhoraiya, Banka.
56. Tarkeshwar Yadav Son of Late Lakkhi Yadav, R/o Village- Gurudwara, P.O.- Vijayhat, P.S.- Benahat, District- Banka, (Bihar) at present posted in Middle School, Narayanpur, Banka.
57. Srikant Yadav Son of Late Sri Anti Yadav, R/o Village- Siray, P.O.- Bounsi, P.S.- Bounsi, District- Banka, (Bihar) at present posted in Middle School, Jabra Bounsi, Banka.
58. Kirani Prasad Yadav Son of Late Indra Prasad Yadav, R/o Village and P.O.- Kusmaha, P.S.- Bounsi, District- Banka, (Bihar) at present posted in Middle School, Kusmaha, Banka.
59. Anil Kumar Son of Late Krishna Prasad Mandal, R/o Village- Udaypur, P.O.- Manjaouni, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Middle School, Basuwara, Banka.
60. Manohar Ram Son of Late Chhitan Ram, R/o Village- Nilkanth Nahar Jagdishpur, P.O.- Tilkamanjhi, P.S.- Gagdishpur, District- Bhagalpur, (Bihar) at present posted in Middle School, Singhan Rajoun, Banka.
61. Sanjay Kumar Roy Son of Late Kishto Gopal, R/o Village- Pipradih, P.O.-



- Morama, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Nima Rajoun, Banka.
62. Umesh Sah Son of Late Suryanarayan Sah, R/o Village- Rajoun, P.O.- Rajoun, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Anandpur Rajoun, Banka.
63. Md. Abdur Rahim Son of Md. Maqbul Ahmad, R/o Village- Kumra, P.O.- Dhoraiya, P.S.- Dhoraiya, District- Banka, (Bihar) at present posted in Urdu Upgraded Middle School, Jaypur, Banka.
64. Chandrashekhar Prasad Sah Son of Late Jaldhar Sah, R/o Village- Rampur, P.O. and P.S.- Dhoraiya, District- Banka, (Bihar) at present posted in Upgraded Middle School, Parariya, Banka.
65. Purushottam Kumar Singh Son of Late Parmanand Singh, R/o Village- Jhapania, P.O. and P.S.- Bounsi, District- Banka, (Bihar) at present posted in Middle School, Babhan Korama, Banka.
66. Shivendra Krishna Pandey Son of Late Anil Kumar Pandey, R/o Village- Harla, P.O. and P.S.- Bounsi, District- Banka, (Bihar) at present posted in Upgraded Middle School, Lalmatiya, Banka.
67. Ramchandra Sah Son of Late Sukhdeo Sah, R/o Village- Teaghra, P.O. and P.S.- Haveli Kharagpur, District- Munger, (Bihar) at present posted in Upgraded Middle School, Rahimdih Rajoun, Banka.
68. Nabin Manjhi Son of Late Radhe Manjhi, R/o Village- R.N. Jha Gali, P.O.- Champa Nagar, P.S.- Nath Nagar, District- Bhagalpur, (Bihar) at present posted in Upgraded Middle School, Khajoorkorama Rajoun, Banka.
69. Sopan Kumar Roy Son of Late Krishna Gopal Roy, R/o Village- Pipradih, P.O.- Morama, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Jabra Rajoun, Banka.
70. Gulabi Harijan Son of Late Garbhu Harijan, R/o Village- Barouni, P.O. and P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Mahada Rajoun, Banka.
71. Munilal Das Son of Late Shulka Harijan, R/o Village- Rajoun, P.O.- Rajoun, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Middle School, Bamdeo Bazar Rajoun, Banka.
72. Uma Shankar Verma Son of Krishna Prasad Verma R/o Village- Bhusia, P.O. and P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Uprama Rajoun, Banka.
73. Pramod Kumar Das Son of Bhikhari Das, R/o Village- Chainpur, P.O.- Jotha, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Punsia Bazar, Banka.
74. Vidyanand Singh Son of Late Ramanath Singh, R/o Village- Pattichak, P.O.- Rupsa, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Karsani Rajoun, Banka.
75. Ajay Kumar Singh Son of Late Dip Narayan Singh R/o Village- Goradih, P.O.- Nawada Bazar, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Asmanichak, (North), Banka.
76. Manohar Prasad Choudhary Son of Mahadeo Prasad Choudhary, R/o Village- Uprama, P.O.- Uprama, P.S.- Rajoun, District- Banka, (Bihar) at



present posted in Upgraded Middle School, Lahoriya Gopalpur, Banka.

77. Jai Prakash Sah Son of Maheshwar Sah, R/o Village and P.O.- Lilatari, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Purghari Rajoun, Banka.
78. Bashishtha Chandra Nand Son of Bhagwat Chandra Nand, R/o Village- Bhusia, P.O. and P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Mahagama, Banka.
79. Pramod Kumar Son of Shibchu Yadav, R/o Village- Gurudwara, P.O.- Vijayhat, P.S.- Barahat, District- Banka, (Bihar) at present posted in Middle School, Kalhatha Chapra, Banka.
80. Umesh Prasad Sah Son of Keshav Prasad Sah, R/o Village, P.O. and P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School, Raghunahpur, Banka.
81. Anil Kumar Mandal Son of Dhunshari Mandal R/o Village- Punsia, P.O.- Punsia, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Middle School, Kamalpur, Banka.
82. Biral Harijan Son of Jagarnathi Harijan, R/o Village- Baribishar, P.O. and P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School, Auriya, Banka.
83. Anirudha Pandit Son of Bhagwat Chandra Nand, R/o Village- Bhusia, P.O. and P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Mahagama, Banka.
84. Prakash Rajak Son of Bairo Baitha, R/o Village and P.O.- Pathra, P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School, Sidhoun, Banka.
85. Lal Kumar Jha Son of Sita Sharan Jha, R/o Village- Bhusia, P.O.- Kharahat, P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School, Khiddi Bhansiyabhitta, Banka.
86. Praveen Kumar Son of Late Basu Lal Singh, R/o Village- Nemua, P.O.- Kolatha, P.S.- Barahat, District- Banka, (Bihar) at present posted in Middle School, Kolatha Chapara, Banka.
87. Sunil Kumar Jha Son of Late Uday Kant Jha, R/o Village and P.O.- Kharhara, P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School Choobadih, Banka.
88. Shyam Sundar Das Son of Late Bhubneshwar Das, R/o Village and P.O.- Belari, P.S.- Shambhuganj, District- Banka (Bihar) at present posted in Upgraded Middle School, Panjwara, Banka.
89. Manishankar Prasad Son of Chandrashekhar Prasad, R/o Village and P.O.- Auria, P.S.- Barahat, District- Banka (Bihar) at present posted in Upgraded Middle School, Makhanpur, Banka.
90. Binay Kumar Pandey Son of Jay Prakash Pandey, R/o Village- Chainpur, P.O.- Jotha, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Middle School, Patwa Sri Pather, Dhoraiya, Banka.
91. Raj Kumar Prasoon Son of Nardeo Prasad, R/o Village- Kishanpur, P.O.- Jotha, P.S.- Rajoun, District- Banka, (Bihar) at present posted in Upgraded Middle School, Amjora Dhoraiya, Banka.



92. Tribhuwan Prasad Singh Son of Haldhar Prasad Singh, R/o Village- Ran Yodha, P.O.- Ranyodha, P.S.- Dhankund, District- Banka, (Bihar) at present posted in Middle School, Ranyodha Dhoraiya, Banka.
93. Pradip Kumar Singh Son of Ram Chandra Singh, R/o Village, P.O. and P.S.- Dhoraiya, District- Banka (Bihar) at present posted in Upgraded Middle School, Rampur Bhagwanpur, Dhoraiya, Banka.
94. Shambhu Mandal Son of Shivnarayan Mandal, R/o Village- Dumarjor, P.O.- Ahiro, P.S.- Dhoraiya, District- Banka, (Bihar) at present posted in Upgraded Middle School, Shasan Dhoraiya, Banka.
95. Pramod Kumar Son of Deonarayan Mandal, R/o Village- Mathurapur, P.O.- Ahiro, P.S.- Dhoraiya, District- Banka, (Bihar) at present posted in Upgraded Middle School, Mathurapur Dhoraiya, Banka.
96. Sanjeev Kumar Son of Bhubneshwar Prasad Singh, R/o Village- Bagroya, P.O.- Makaita, P.S.- Dhankund, District- Banka, (Bihar) at present posted in Upgraded Middle School, Kasba Dhoraiya, Banka.
97. Baski Paswan Son of Panchanand Paswan, R/o Village- Lalsaihiya, P.O.- Makaita, P.S.- Dhankund, District- Banka, (Bihar) at present posted in Upgraded Middle School, Guruduwar Phulbariya Dhoraiya, Banka.
98. Indradeo Harijan Son of Prasadi Harijan, R/o Village- Sraiya, P.O.- Kasimpur, P.S.- Goradih, District- Bhagalpur, (Bihar) at present posted in Upgraded Middle School, Babura Urdu Dhoraiya, Banka.
99. Gopal Rajak Son of Bhothari Rajak, R/o Village- Lakshmipur, P.O.- Sakrama, P.S.- Sanhoula, District- Bhagalpur, (Bihar) at present posted in Middle School, Batsar Dhoraiya, Banka.
100. Kapil deo Sah Son of Anuplal Sah, R/o Village- Bishwas Khani, P.O.- Bishwas Khani, P.S.- Hanwara, District- Banka, (Bihar) at present posted in Upgraded Middle School, Nandgola Dhoraiya, Banka.
101. Md. Mubarak Karim Son of Abdul Hamid, R/o Village- Mahila, P.O.- Bisanpur, P.S.- Dhoraiya, District- Banka (Bihar) at present posted in Upgraded Middle School, Mahila Balak Dhoraiya, Banka.
102. Md. Zulfequarali Quaiser Rabbani Son of Md. Islam R/o village-Sathiyari, P.O.- Sathiyari, P.S. Dhoraiya, District- Banka, (Bihar) at present posted in Urdu Upgraded Middle School, Rangown Buzurg, Banka.
103. Bipin Kumar Sarkar Son of Kaleshwar Sahu R/o village- Tekanpura, P.O.- Daffarpur, P.S.- Nawkothe, District- Begusarai, (Bihar) at present posted in Middle School, Baldpur, Banka.
104. Jai Ram Singh Son of Munnial Singh R/o village- Pounkari, P.O.- Basbitta, P.S.- Shambhuganj, District-Banka, (Bihar) at present posted in Upgraded Middle School, Basbitta, Banka.
105. Raghunandan Singh Son of Dinesh Prasad Singh R/o village-Warsabad, P.O.- warsabad, P.S.- Shambhuganj, District-Banka, (Bihar) at present posted in Upgraded Middle School, Gopalpur, Banka.
106. Manju Kumari Daughter of Bibhuti Divakar R/o village- Karsop, P.O.- shambhuganj, P.S.- Shambhuganj, District-Banka, (Bihar) at present posted in Primary School, Karshop, Banka
107. Punam Kumari Daughter of Manikant Singh R/o village- Bathi, P.O.- Bathi,



- . P.S.- Bathi, District- Bhagalpur, (Bihar) at present posted in Primary School, Chatmadih Kanya, Banka.
- 108 Bimal Kumar Jha Son of Anirudh Jha R/o village- Raipura, P.O- Chatmadih, . P.S-Shambhuganj, District-Banka, (Bihar) at present posted in Primary School, Lalmanichak, Banka.
- 109 Shukdeo Yadav Son of Late Upendra Prasad Yadav R/o village- Bihar . Bhalua, P.O.- Bhalua, P.S- Shambhuganj, District-Banka, (Bihar) at present posted in Upgraded Middle School, Bhalua, Banka.
- 110 Anil Kumar Yadav Son of Sajjan Prasad Yadav R/o village- Domodih, P.O.- . Kumarpur, P.S- Fullidumar, District- Banka, (Bihar) at present posted in Upgraded Middle School, Chandela, Banka.
- 111. Binit Kumar Son of Lakshman Prasad Singh R/o village- Warsabad, P.O.- Warsabad, P.S- Shambhuganj, District-Banka, (Bihar) at present posted in Upgraded Middle School, Mahisota, Banka.
- 112 Sanjay Kumar Son of Anirudh Kumar Singh R/o village- Warsabad, P.O.- . Warsabad, P.S- Shambhuganj, District- Banka, (Bihar) at present posted in Upgraded Middle School, Daka, Banka
- 113 Ashok Kumar Son of Sukhdeo Bhagat R/o village- Muraut, P.O.- Muraut, . P.S.- Alamnagar, District- Madhepura, (Bihar) at present posted in R.M.S. , Kasba, Banka.
- 114 Shabnam Sinha Daughter of Bijay Kumar Ranjan R/o village- Araje Karsog, . P.O.- Shambhuganj, P.S- Shambhuganj, District- Banka, (Bihar) at present posted in Middle School, Belari, Banka.
- 115 Ranjan Kumar Singh Son of Late Upendra Kumar Singh R/o village- . Karahariya, P.O.- Karahariya, P.S- Bathi, District- Banka, (Bihar) at present posted in A.M.S. , Shambhuganj, Banka.
- 116 Shambhu Saran Singh Son of Bharat Prasad Singh R/o village- Kiranpur, . P.O.- Pararia, P.S- Shambhuganj, District-Banka, (Bihar) at present posted in Upgraded Middle School, Dhaka, Banka.
- 117 Nandan Prasad Singh Son of Shukdeo Prasad Singh R/o village- Karharia, . P.O.- Karanja, P.S- Shambhuganj, District- Banka, (Bihar) at present posted in Middle School, Karanja, Banka.
- 118 Laksham Kumar Jha Son of Dayanath Jha R/o village- Bharatkhand, P.O.- . Bharatkhand, P.S- Parbatta, District- Khagaria, (Bihar) at present posted in Upgraded Middle School, Harzvanshpur, Banka
- 119 Dhaneshwari Devi Daughter of Late Shalingram Singh R/o village- . Kiranpur, P.O.- Parariya, P.S- Shambhuganj, District- Banka, (Bihar) at present posted in Primary School, Kiranpur, Banka.
- 120 Rajesh Kumar Son of Sadanand Singh R/o village- Birnaudha, P.O.- . Giridhara, P.S- Shambhuganj, District- Banka (Bihar) at present posted in Upgraded Middle School, Kamardih, Banka.
- 121 Ravi Ranjan Kumar Singh Son of Ram Mukul Singh R/o village- Nawgain, . P.O.- Nawgain, P.S- Sangrampur, District- Munger, (Bihar) at present posted in Upgraded Middle School, Gorgama, Banka.
- 122 Chandrashekhar Singh Son of Bhola Prasad Singh R/o village and P.O.- . Sautadih, P.S- Belhar, District- Banka, (Bihar) at present posted in Upgraded



Middle School, Pachrukhi, Banka.

- 123 Manoj Kumar Son of Mathura Thakur R/o village and P.O.- Baidpur, P.S.- Shambhuganj, District- Banka, (Bihar) at present posted in Middle School, Chhatra, Banka
- 124 Ashok Kumar Pandit Son of Cheddi Pandit R/o village- Lauriya, P.O. and P.S- Belhar, District- Banka, (Bihar) at present posted in Middle School, Darshaniya, Banka
- 125 Binod Kumar Son of Bal Krishna Ram R/o village and P.O.- Bijay, P.S.- Banka, District- Banka, (Bihar) at present posted in Upgraded Middle School, Jamdaha, Banka
- 126 Ashok Thakur Son of Janardan Thakur R/o village- Baluatari, P.O. and P.S- Bounsi, District- Banka (Bihar) at present posted in Upgraded Middle School, Simra, Banka.
- 127 Bindeshwari Das Son of Giro Das R/o village- Sarsad, P.O. and P.S- Belhar, District- Banka, (Bihar) at present posted in Middle School, Sahebganj, Banka.
- 128 Jai Prakash Mandal Son of Puneshwar Mandal R/o village- Bakrar, P.O.- Mathura Sahebganj, P.S- Belhar, District- Banka, (Bihar) at present posted in Upgraded Middle School, Bara, Banka
- 129 Gopal Paswan Son of Banarsi Paswan R/o village- Aliganj, Banka, P.O., P.S. and District- Banka, (Bihar) at present posted in Upgraded Middle School, Kajhiya, Banka.
- 130 Prem Kishore Ram Son of Banarsi Ram R/o village- Jagatpur, P.O., P.S. and District- Banka, (Bihar) at present posted in Upgraded Middle School, Gorha, Banka.
- 131 Amrendra Narayan Singh Son of Jay Narayan Singh R/o village- Babu Tola Banka, P.O., P.S. and District- Banka, (Bihar) at present posted in Middle School, Teliya, Banka.
- 132 Sanjiv Kumar Son of Late Naresh Mohan Mandal R/o village- Edgah Road Babu Tola, P.O., P.S. and District- Banka, (Bihar) at present posted in Upgraded Middle School, Inarpa, Banka.
- 133 Gopal Prasad Rajak Son of Late Kunjo Rajak R/o village- Naya Bazar Sakhichand Ghat Road Bhagalpur, P.O., P.S. and District- Bhagalpur, (Bihar) at present posted in Upgraded Middle School, Deshra.
- 134 Pushpendra Kumar Choudhary Son of Ram Prasad Choudhary R/o village and P.O. and P.S.- Barahat, District- Banka, (Bihar) at present posted in Upgraded Middle School, Douna, Banka.
- 135 Dilip Kumar Mishra Son of Late Karyanand Mishra R/o village and P.O. and P.S.- Belhar, District- Banka, (Bihar) at present posted in Middle School, Chhatrahar, Banka.
- 136 Pawana Nand Mishra Son of Debki Prasad Mishra R/o village- Chhatrahar, P.O.- Chhatrahar, P.S- Shambhuganj, District- Banka, ( Bihar) at present posted in Upgraded Middle School, Athamaniyan, Banka
- 137 Arun Kumar Son of Late Hiyalal Prasad R/o village- Bithla, P.O.- Baisa, P.S- Parbatta, District- Khagariya, (Bihar) at present posted in Middle School, Kathel, Amarpur.



138 Amarendra Kumar Son of Suresh Mali R/o village and P.O.- Sonbarsha, P.S-  
Bihpur, District- Bhagalpur, (Bihar) at present posted in Middle School,  
Madari, Bounsi, Banka

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The Secretary (Expenditure) Finance Department, Govt. of Bihar, Patna.
4. The District Education Officer, Banka.
5. The District Programme Officer (Establishment), Education Department, Banka.
6. The District Account Officer, Banka Collectorate, Banka, District- Banka.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Ms. Ritika Rani, Adv.  
For the Respondent/s : Smt. Binita Singh, SC 28

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH  
SHARMA**

ORAL ORDER

3      02-02-2023                      1. The petitioner by way of this writ petition has  
prayed as under:

*“(A). For quashing office order vide letter no 5770 dated 10.11.2020 issued under the signature of Secretary, (Expenditure), Finance Department, Govt. of Bihar, Patna addressed to Additional Chief Secretary, Education Department, Govt. of Bihar, Patna as contained in Annexure-5 by which it was communicated the teachers are not entitled to get benefit of Schedule-II of Senior/selection pay scale from 01.01.2006 pursuant to Finance Department Resolution No. 892 dated*



*07.12.2018 mainly on the reason Senior/Selection pay scale from are ACP and MACP and both are not at par to each other accordingly it is to be communicated to all District Account Officer, All District Programme Officer (Establishment), All District Treasury Officer, and concerned.*

**(B).** *Also quashing letter no. 703 dated 31.12.2020 as contained in Annexure-6 issued under the signature of District Account Officer, Banka addressed to District Programme Officer (Establishment), Education Department, Banka with respect to entitlement of teacher to get benefit of salary from 01.01.2006 of Schedule-II in Senior or selection pay scale and action will be taken for recovery of excess payment made.*

**(C)** *For quashing letter no. 5256 dated 17.08.2021 issued under the signature of Secretary to the Government, Finance Department addressed to senior Deputy Accountant General, Principal Accountant General (A & E) as contained in Annexure-7 by which it has been communicated that teachers are not entitled to get benefit of senior/selection grade scale on the reason teachers were earlier only shifted in senior/selection pay scale as per the Finance Department resolution No. 7946 16.11.2020.*



*(D) For quashing the letter no. 1125 dated 12.04.2022 as contained in Annexure-9 issued under the signature of District Programme Officer (Establishment), Banka addressed to all headmaster and earmarked Middle School, Banka for payment of amended salary from March 2022 considering teachers are not entitled to get monetary benefit of salary of schedule- II on the reason the teachers who have been given the salary of schedule- II in the Block is fit to be revised within a week.*

*(E) Also for commanding the respondents to not recover any amount from the salary of the petitioners on the basis of order as contained in Annexure-5, 6,8 and 9 and allow the petitioners to receive salary as usual.*

*(F) Also commanding the respondents to return the recover amount from the salary of the petitioners which has been recovered pursuant to order as contained in Annexure-5,6,8 and 9 from the month of March 2022.*

*(G) Also for necessary releif/reliefs, order/orders, direction/directions for which the petitioner is entitled in the eye of law.”*

2. This Court vide its order dated 10.08.2021 in **C.W.J.C. 2783/21 (Chandrakanta & Ors. Vs. State of Bihar & Ors.)** as reported in **2022 (6) BLJ 563**, has held as under:



*“31. In view of the above, the contention raised by the petitioners of having benefit of ACP Scheme or MACP Scheme fails and the order passed by the respondents, dated 10.11.2020 and consequential orders thereto are upheld holding that the petitioners would only be entitled to the benefits granted to them under Circular, dated 16.11.2000.*

*32. However, it is further held that the petitioners and other teachers who were wrongfully granted benefit of ACP/MACP would have to get their pay fixation revised and if they have retired, their pension would also be accordingly revised. But, no recovery shall be made for the extra amount which they have received.*

*33. All writ petitions are accordingly decided. No costs.”*

3. Apart from the aforesaid judgment passed by this Court , this Court notices that the Apex Court in another judgment of **State of Bihar & Ors. Vs. Bihar Secondary Teachers Struggle Committee, Munger & Ors.** as reported in **2019 (18) SCC 301** has held as under:

*“96.5. Thus, normally the applicability of this principle must be left to be evaluated*



*and determined by an expert body. These are not matters where a writ court can lightly interfere.*

**96.6.** *Granting pay scales is a purely executive function and hence the court should not interfere with the same. It may have a cascading effect creating all kinds of problems for the Government and authorities.*

**96.7.** *Equation of posts and salary is a complex matter which should be left to an expert body.*

**96.8.** *Granting of pay parity by the court may result in a cascading effect and reaction which can have adverse consequences.*

**103.** *We, therefore, have to proceed on the following basic premise:*

**104.** *If a pay structure is normally to be evolved keeping in mind factors such as “method of recruitment” and “employer's capacity to pay” and if the limitations or qualifications to the applicability of the doctrine of “equal pay for equal work” admit inter alia the distinction on the ground of process of recruitment, the stand taken on behalf of the State Government is not*



*unreasonable or irrational. Going by the facts indicated above and the statistics presented by the State Government, it was an enormous task of having the spread and reach of education in the remotest corners. Furthermore, the literacy rate of the State which was lagging far behind the national average was also a matter which required attention. The advances made by the State on these fronts are quite evident. All this was possible through rational use of resources. How best to use or utilise the resources and what emphasis be given to which factors are all policy matters and in our considered view the State had not faltered on any count. As laid down by this Court in the decisions in Joginder Singh [State of Punjab v. Joginder Singh, 1963 Supp (2) SCR 169 : AIR 1963 SC 913] and Zabbar Singh [Zabbar Singh v. State of Haryana, (1972) 2 SCC 275] , the State was justified in having two different streams or cadres. The attempt in making over the process of selection to Panchayati Raj institutions and letting the cadre of State Teachers to be a dying or vanishing cadre were part of the same mechanics of*



*achieving the spread of education. These issues were all part of an integrated policy and if by process of judicial intervention any directions are issued to make available same salaries and emoluments to Niyojit Teachers, it could create tremendous imbalance and cause great strain on budgetary resources.*

*105. It is true that the budgetary constraints or financial implications can never be a ground if there is violation of fundamental rights of a citizen. Similarly, while construing the provisions of the RTE Act and the Rules framed thereunder, that interpretation ought to be accepted which would make the right available under Article 21-A a reality. As the text of the Article shows the provision is essentially child-centric. There cannot be two views as regards the point that free and compulsory education ought to be quality education. However, such premise cannot lead to the further conclusion that in order to have quality education, Niyojit Teachers ought to be paid emoluments at the same level as are applicable to the State Teachers. The modalities in which expert teachers can be*



*found, whether by giving them better scales  
and/or by insisting on threshold ability  
which could be tested through examinations  
such as TET Examination are for the  
Executive to consider.”*

4. Keeping in view thereto, the view taken by this Court  
stands fortified from the aforesaid judgment. The writ petition is  
accordingly dismissed.

**(Sanjeev Prakash Sharma, J)**

Suraj/-  
Item No. 15

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