

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6376 of 2018

1. Shivnandan Kumar @ Shivnandan Kumar Gupta Son of Sri Ram Prasad Gupta, Resident of At P.O.P.S.-Tikapatti, Block-Rupauli, District-Purnea.
2. Sinigdha Rani Ray, Wife of Sri Subhash Chandra Ray. Resident of At+ P.O. +P.S.-Tikapatti, Block-Rupauli, District-Purnea.
3. Rita Devi, Wife of Late Pradip Kumar Mandal, D/o Sundar Mandal, Resident of Tikapatti, P.S. Falka, Block-Sameli, District-Purnea.
4. Suresh Kumar Gupta, Son of Late Kripal Sah, Resident of At+P.O.-Tikapatti, P.S.-Tikapatti, Block Rupauli, District-Purnea.
5. Navin KUMar Keshari, Son of Late Shital Prasad Keshari, Resident of At P.O.-Tikapatti, P.S.-Tikapatti, Block Rugauli, District-Purnea.
6. Pramod Kumar Mandal, Son of Late Ishwar Mandal, At Naya Nandgola, P.O.-Nandgola, P.S.-Tikapatti, Block Rupauli, District- Purnea
7. Raj Kumar Choudhary, Son of Tarachand Chaudhary, Resident of At+ P.O.-Chaphari, P.S. +Circle-Rupauli, District-Purnea.
8. Basant Kumar Singh, Son of Sri Chandrika Singh, Resident of Village + P.O.-Birahima, P.S.-Baruranj Circle Motipur, District-Muzaffarpur.
9. Birendra Kumar, Son of Sri Shankar Rai, Resident of At-Akhitiyarpur, P.O.-Kamalpur Bishraul, P.S.-Baruraj, Circle Motipur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Old Secretariat, Patna.
3. The Principal Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna.
4. The Principal Secretary, Department of Human Resources Development, Govt. of Bihar, Patna.
5. The Director, Mass Education, Govt. of Bihar, Patna.
6. The District Mass Education Officer, Purnea.
7. The District Education Officer, Purnea.
8. The District Mass Education Officer, Muzaffarpur.
9. The District Education Officer, Muzaffarpur.

... .. Respondent/s

WITH
Civil Writ Jurisdiction Case No. 6394 of 2018



1. Seema Kumari Bhagat and Anr Wife of Ajay Kumar, Daughter of Sri Krishna Prasad Bhagat Resident of Mohalla- Urdu Bazar, P.S. Tatarpur, District- Bhagalpur.
2. Md. Aftab Alam Son of late Farrooque Khan Resident of Bandhu Modilane, Mogalpura, Hasanpur, P.S.Mojahidpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Mass Education Government of Bihar, Patna.
4. The District Education Officer, Bhagalpur.

... .. Respondent/s

WITH

Civil Writ Jurisdiction Case No. 6397 of 2018

Urmila Devi Wife of Raj Narayan Prasad Yadav Resident of Baraitha, P.O. Kharatari, P.S. Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Education, Bihar, Patna.
4. The Director, Mass Education , Bihar,Patna.
5. The District Education Officer, East Champaran.
6. The District Programme Officer Establishment, East Champaran.

... .. Respondent/s

WITH

Civil Writ Jurisdiction Case No. 6398 of 2018

Rinki Kumari Wife of late Thakur Lal Resident of Village- Dudhpura, P.O. Manalgarh, P.S. Hasanpur, Dist. Samastipur.



... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The Principal Secretary, Department of General Administration, Govt. of Bihar, Patna.
3. The Director Mass Education, Government of Bihar, Patna.
4. The District Magistrate-cum-Collector, District- Samastipur.
5. The District Education Officer, District-Samastipur.
6. The District Programme officer, Literacy, District- Samastipur.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 6376 of 2018)

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate

For the Respondent/s : Mr. Ashutosh Ranjan Pandey -Aag15

(In Civil Writ Jurisdiction Case No. 6394 of 2018)

For the Petitioner/s : Mr.Ajay Kumar Jain, Advocate

For the Respondent/s : Mr.Smt.Binita Singh -Sc28

(In Civil Writ Jurisdiction Case No. 6397 of 2018)

For the Petitioner/s : Mr.Sri Krishna Ranjan, Advocate

For the Respondent/s : Mr.Smt.Shilpa Singh -Ga12

(In Civil Writ Jurisdiction Case No. 6398 of 2018)

For the Petitioner/s : Ms.Mira Kumari, Advocate

For the Respondent/s : Mr.S.C.Mishra -Sc16

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 07-10-2023

Heard learned counsel for the petitioners and
learned counsel for the State in all the cases.

2. In all cases it was ordered to present with
M.J.C. No.809 of 2012 which is now decided.

3. All the counsels jointly submit that the
question involves in the present writ petitions are same, as



decided in Civil Review No.59 of 2018 in L.P.A. No.1047 of 2017 and, particularly, the order passed in S.L.P. No.32079 of 2015 in which vide order dated 26.02.2016, Hon'ble Apex Court has pleased to hold as under:-

“We find no infirmity in the order impugned herein. The Special Leave Petitions are dismissed. The relief granted by the High Court shall be restricted on those who approached the High Court who were heard as well as who wanted to get themselves impleaded and those who have filed applications here at par with those former as well as all those petitioner/instructors which are pending as on date before the High Court but shall not applied to any fresh case either here or before the High Court....”.

4. Admittedly, the said order has been passed by Hon'ble Apex Court on 26.02.2016; whereas the all batch of writ petitions had been filed in the year 2018 and, hence, in the light of order passed by the Hon'ble Apex Court that the said order shall not apply to anyone of the fresh case either before the Hon'ble Apex Court or before this Hon'ble Court.

5. Hence, in the light of said observation the cut-of-date is dated 26.02.2016 and in this view of the matter this



Court has no option but to dismiss all the accused persons as these cases filed after 26.02.2016. Accordingly, all the writ petitions are dismissed.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	10.10.2023
Transmission Date	

