

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14280 of 2021

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1. Birmani Kumar Son of Late Sita Ram Yadav Resident of Moh- Khandak Par, Police Station- Biharsharif, District- Nalanda.
 2. Sudhir Kumar Sinha Son of Late Yadunandan Prasad Resident of Village- Dhameki, Police Station- Sarmera, District- Nalanda.
 3. Ashok Kumar Son of Late Kailash Prasad Resident of Village- Nizampura, Police Station- Asthawan, District- Nalanda.
 4. Dipendra Bhushan Son of Shri Shiv Dayal Prasad Resident of Village- Gopalbad, Police Station- Sarmera, District- Nalanda.

... .. 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, Biharsharif.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Respondent/s : Mr.Madhaw Prasad Yadaw, GP-23
Mr.Sanjay Kumar, AC to GP-23

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-12-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this is an application for issuance of a writ in the nature of mandamus commanding and directing the respondent-authorities to give the similar benefit to the Petitioners of the instant writ petition as that of the Petitioners of C.W.J.C. No. 8418 of 2010, which has been affirmed by a Division Bench of this Hon'ble Court in L.P.A. No. 1489 of 2011 and so also



ultimately affirmed by the Hon'ble Apex Court in Special Leave Petition (Civil) CC No. 32079 of 2015, after taking into consideration sec. 4 Clause (c) of the Bihar State Litigation Policy, 2011, which is to the effect that if the claim is covered by any decision of the Court, it is primary duty of the State to protect rights of all citizens by giving same benefits.”

2. At the outset, the learned counsel for the respondent-State submits that in view of the judgment, rendered by the learned Division Bench of this Court in Civil Review No.59 of 2018, the present writ petition has been rendered infructuous.

3. The learned counsel for the petitioners submits that if that be the case, the present writ petition be disposed off.

4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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