

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4954 of 2021

1. Manoj Kumar Sharma, Son of Late Ramgari Sharma, Resident of Village-Gyaspur Mathiya, P.S.-Siswan, District-Siwan, Prakhand Teacher in Govt. Upgraded Middle School Madhopur, Anchal-Siswan, District-Siwan.
2. Abhay Kumar, Son of Asharfi Sah, Resident of Village-Barmayeen, P.S.-Uchakagaon, District-Gopalganj, Prakhand Teacher in Govt. Upgraded Middle School Pipra, Anchal-Siswan, District-Siwan.
3. Rabish Kumar Manjhi, Son of Chandrika Manjhi, Resident of Village-Atarshan, P.S. Rasulpur, District-Chapra, Prakhand Teacher in Govt. Upgraded Middle School Nagai, Anchal-Siswan, 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 Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Siwan, District-Siwan.
5. The District Education Officer, Siwan, District-Siwan.
6. The District Programme Officer (Est.), Siwan, District-Siwan.
7. The Block Development Officer-cum-Executive Officer, Siswan, District-Siwan.
8. The Block Education Officer, Siswan, District-Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Respondent/s : Mr. Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-07-2024 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for the respondents.

2. The present writ petition has been filed seeking the
following reliefs:

*“(i) For issuance of writ nature of Mandamus issued
direction to the respondent Block Development Officer,*



Siwan, for considering the application dt. 06.09.2019 and 13.09.2019 in the light of the order dated 20.08.2019 passed in Case No. Appeal Case No. 231/2018 (Arvind Kumar & Ors. Vs. State of Bihar and Ors.) and analogous case Appeal no. 610/2018 (Rabish Kumar vs. The State of Bihar and others) by which directed to examine the case of the appellants/petitioners, if any posts are vacant in reserve category but same has not been considered as yet.

(ii) For further issue direction to respondent Block Education Officer, Siwan, to allow to the petitioners to work as teachers on before 02.01.2013 and pay the arrear of salary as well as current salary as similarly situated teachers have been allowed from the same panel.

(iii) Further give other legal consequential benefit to the petitioners as entitled in the eyes of law.

3. Learned counsel for the petitioners submits that the petitioners have filed representation before Block Development Officer in compliance of order passed by the State Appellate Authority, but till date no order has been passed by the Block Development Officer.

4. Considering the above-mentioned fact, the petitioners are directed to file a fresh representation before the respondent no. 7 (The Block Development Officer-cum-Executive Officer, Siwan) along with all supporting documents within a period of two weeks and the respondent no. 4 is well advised to consider the case of the petitioner after affording opportunity of personal hearing or through their counsel and pass a reasoned and speaking order in accordance with law within ten weeks thereafter, considering the fact that similarly situated persons have been appointed by the Block Development



Officer.

5. With the aforesaid direction, the writ application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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