

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5564 of 2022

1. Sanjeet Kumar Son of Umeshwar Prasad Sahu, resident of Barhara, Madhubani, P.S. BabuBarhi, District Madhubani, Bihar - 847401.
2. Sunil Kumar Yadav, Son of Chandeshwar Yadav, resident of Bhanpur, Bardahi, P.S. BabuBarhi, District Madhubani, Bihar.
3. Kamlesh Kumar, Son of Kishan Yadav, resident of BelaDullah, P.S. LNMU Campus, District Darbhanga, Bihar.
4. Reetesh Kumar Raman, Son of Ganga Prasad Yadav, resident of Piprahi, Dinmo, P.S. Kusheshwarasthan, District - Darbhanga.
5. Lalit Kumar, son of Ram Shankar Prasad, resident of gram Tirhuta, P.O.- Tirhuta, P.S. Babubarhi, Dist. Madhubani.
6. Arvind Kumar, Son of Birendra Singh, resident of Gram and Post Makhdumabad, P.S. Parasi, Arwal, Bihar.
7. Akash Kumar, Son of Dinendra Kumar Singh, resident of Kumhavan, Jehanabad, P.S. Jahanabad, Bihar.
8. Shashi Bhushan Kumar, son of Nawal Prasad Singh, resident of ward no. 6, Kapasi, Karandey, Sheikhpura, P.S. Karandey.
9. Durgesh Kumar Sahani, Son of Jawaharlal Sahani, resident of Mahahmudpur, District - Siwan, P.S. Andar.
10. Manmohan Singh, Son of Ramanand Singh, resident of Phulwaria, Siwan, P.S. Raghunathpur.
11. Himanshu Kumar, Son of Shashi Bhushan Srivastwa, resident of Tulasiya, Gopalganj, P.S. Uchakagaon.
12. Rajesh Kumar Singh Son of Ramesh Singh, resident of Jawanpura Nandpur, Amwari, Siwan, Raghunathpur, P.S. Andar, Bihar.
13. Virendra Kumar, Son of Nand Kishor Mahto, resident of Pakarivar Khurdar, Punarwarasham, Muzaffarpur, P.S. Hathauri, Bihar.
14. Kundan Kumar, Son of Ramji Poddar, Resident of Naya Tola Bhawanipur, P.S. Rangra Chowk, Bhagalpur.
15. Prabhakar Kumar, Son of Pradyumna Prasad Yadav, resident of Bandehra, Khagaria, P.S. Pasraha.
16. Chandan Kumar Son of Shailendra Kumar, resident of BC 003 0170 Golaghat Road, near Anchal Bhawan, BishahariAsthana, P.S.- Tatarpur, Bhagalpur.
17. Sourav Kumar Singh Son of Rabindra Kr. Singh, resident of Bhagalpur, P.S. Bakharpur.
18. Sita Kumari Wife of Shatrudaman, resident of gram Janidih, Post Ghoga, Gopalpur, Bhagalpur, P.S. Ghogha (Kahalgaon) Bihar.
19. Raju Kumar Son of Dasrath Prasad Keshri, resident of Gram Post and P.S. - Parasi, District Arwal, Bihar.
20. Prem Shankar Prasad Son of Chandrama Prasad, resident of Belaur, Siwan, Bihar, P.S. Guthani.



21. Ashok Kumar Yadav, Son of Dasharath Yadav, resident of Salempur, Aghaila, P.S. Dhanauli, Siwan.
22. Balbir Singh Son of Om Prakash Singh, resident of Kailgarh Via Mirganj, P.S. Barharia, Siwan.
23. Bikash Kumar Yadav, Son of Sripal Yadav, resident of UsariTarvara, P.S. G.B Nagar, Siwan.
24. Pappu Kumar, Son of Ram Babu Ram, resident of Keshopur, Post Balukaram, P.S. Vaishali, District - Vaishali.
25. Ajay Kumar, Son of Ram Parikshan Singh, resident of Jalalpur, Birbhan, Sehan, P.S. Goraul, Vaishali.
26. Prem Chandra Prem, Son of Maheshwar Sah, resident of Parmanandpur, Vaishali, P.S. Mahnar.
27. Avinash Chandra Sinha, Son of Yogesh Chandra Sinha, resident of Chintamanipur, Chintamanpur, Vaishali, Madarna, P.S. Vaishali, Bihar.
28. Vijay Kumar, Son of Kameshwar Sah, resident of Brindavan, Post Bindavan, Mirchaiya, PakriDicchit, Bara Chakaiya, East Champaran, P.S. Kalyanpur.
29. Prakash Kumar, Son of Amir Lal Ray, resident of Chakbibi, P.S. Rajapakar, Vaishali.
30. Manish Kumar Ranjan, Son of Ram Lochan Prasad, resident of Hanuman Nagar, Dist. - East Champaran, P.S. Kalyanpur.
31. Nitesh Kumar, Son of Rajesh Kumar Raushan, Resident of Teyai, Begusrai, P.S. Bhagwanpur.
32. Mani Bhushan Kumar Patel Son of Chinta Ray, resident of Baligarh, Jita Marhi, P.S. - Runnisaidpur.
33. Kumar Samant, Son of Gangadhar Jha, resident of Narkatia Bhagalpur, P.S. Kharik Bazar.
34. Ranjeet Kumar, Son of Thakur Poddar, resident Near Nath Baba Mandir, Narayanpur, Bhagalpur, P.S. Bihpur.
35. Pradeep Pandit, Son of Yogendra Pandit, resident of Karariya Machchargava, East Champaran, P.S. Kotwa.
36. Ram Prawesh Kumar, Son of Yogi Pd. Yadav, resident of Baijnathpur, East Champaran, P.S. Chiraiya.
37. Rajiv Kumar Singh, Son of Bhola Prasad Singh, resident of Aura Samstipur, P.S. Hasanpur.
38. Rambabu Kushvaha Son of Jagdish Prasad, resident of Barwat Prasrain, West Champaran P.S. Muffasil Bettiah.
39. Jitesh Kumar, Son of Birendra Bahadur Singh, resident of Ekawana, Dist. - Bhojpur, P.S. Barhara.
40. Lakshman Kumar, Son of Badri Narayan Singh, resident Chatra, P.O. - Chatra, Madhubani, P.S. Khajauli.
41. Vivek Kumar Mahto Son of Mannu Narayan Mahto, resident of Bhagwatipur Madhubani P.S. Pandal.
42. Dhiraj Kumar, Son of Prem Kumar, resident of Fatepur, Siwan, P.S. - O.P.



Thana.

43. Divya Prakash Singh, Son of Birendra Kumar Singh, resident of Vill. - Bagen, Buxar, P.S. Bagen Gola, Bihar.
44. Umashanker Tiwary S/o Shri Bindeshwar Tiwary, R/o - Bus Stand Road New Shital Tola, P.S. - Nawada, Dist. - Ara, Bihar.
45. Rohit Kumar Singh, S/o- Shyam Bihari Singh, R/o - Pitro, P.S. - Agiaon Bazar, Bhojpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar the Chief Secretary Government of Bihar New Secretariat Patna.
2. The Chief Secretary Government of Bihar New Secretariat Patna.
3. The Principal Secretary, Human Resource Department, New Secretariat, Patna Bihar.
4. The Principal Secretary, Department of Education, Government of Bihar Patna.
5. The Director, Secondary Education, Government of Bihar Patna New Secretariat, Patna.
6. The Director, Senior Secondary Education, Government of Bihar Patna New Secretariat, Patna.
7. The Bihar School Examination Board through its Chairman, Patna.
8. The Chairman, Bihar School Examination Board.
9. The National Council for Teacher Education, through its Chairperson, New Delhi.
10. The Chairperson, The National Council for Teacher Education, New Delhi.
11. The Managing Director, Bihar State Educational Infrastructure Development Corporation, Education Bhawan, AcharyaShivpujanSahay Path Bihar RashtrabhashaParishad Campus ShikshaBhawan, SalimpurAhra, Patna, Bihar - 800004.
12. The State Project Director, Bihar Secondary Education Council, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra
For the Respondent/s : Mr.Prabhakar Jha (Gp27)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 01-04-2024

Heard learned counsels for the parties.

2. By this application, the petitioner seeks the following



relief(s):

I) For issuance of an appropriate writ in the nature of mandamus commanding the respondent Authorities to consider the case of the petitioner for appointment on the post of Computer Science Teacher in Higher Secondary School pursuant to the advertisement no. 373/2019 published under the signature of Examination Controller (miscellaneous) by the Respondent Bihar School Examination Committee, Patna after extending the benefit of the service rendered by the petitioner in the different High School of the State of Bihar through outsourcing.

II) For issuance of an appropriate writ directing upon the respondent authorities to give weightage/priority in the seventh phase of the selection being conducted by the State of Bihar in the different Higher Secondary School in light of Bihar District Council Secondary and Higher Secondary School Service (Appointment, Promotion, Transfer, Disciplinary Action and Service Condition) Rule 2020 (hereinafter referred to as Rule 2020).

III) For issuance of an appropriate writ directing the respondent authorities to give age relaxation to the petitioners as



the work of computer teacher/coordinator has been taken from the petitioners since 2008 in the different higher secondary school in the State of Bihar.

IV) Any other relief/reliefs to which the petitioners are found are found fit in the facts and circumstances.

3. At the very outset, learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent authorities for redressal of their aforesaid grievance. Liberty, so sought, is granted.

4. The petitioners are directed to file a detailed representation before the Principal Secretary-cum-Additional Chief Secretary, Department of Education, Government of Bihar, Patna (respondent no. 4) along with all supporting documents within a period of four weeks from the date of receipt/production of a copy of this order and the respondent no.4 is well advised to consider the case of the petitioners after affording opportunity of personal hearing or through their counsel and pass a reasoned and speaking order in accordance with law within a period of ten weeks from the date of receipt of the representation of the petitioners.

5. It is made clear that respondent no.4 shall be liable for non-compliance of this order within the stipulated period.



6. With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

divyanshi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.04.2024
Transmission Date	NA

