

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8466 of 2019

1. Sanjeev Kumar Jha Son of Late Jai Krishna Jha Resident of Village- Mahathwar, PS- Ghanshyampur, District- Darbhanga at present posted as teacher in Rajkiya Middle School, Laxmipur Sagar, Anchal- Darbhanga Nagar, District- Darbhanga.
2. Jyoti Kumari Wife of Late Saroj Kumar Resident of Village- Laheri Tola, Pandasarai, PS- Laherisarai, District- Darbhanga at present posted as Teacher in Rajkiya Middle School, Khajasarai, Anchal- Laheriyasarai, District- Darbhanga.
3. Pravin Kumar Jha Son of Late Deochandra Jha Resident of Village- Korthu, PS- Ghanshyampur, District- Darbhanga at present posted as teacher in Rajkiya Middle School, Sajjanpura, Anchal- Benipur, District- Darbhanga.
4. Govind Kumar Jha Son of Late Brajendra Jha Resident of Village- Atihar, PS- Darbhanga Sadar, District- Darbhanga at present posted as Teacher in Upgraded Middle School, Bijuli, Anchal- Darbhanga Sadar, District- Darbhanga.
5. Seraj Ahmad Son of Late Md. Asrarul Haque Resident of Village- Brahampura, PS- Ghansyampur, District- Darbhanga at present posted as teacher in Rajkiya Middle School, Pohaddi Bela, Anchal- Darbhanga Nagar, District- Darbhanga.
6. Brajesh Kumar Son of Late Ram Narayan Thakur Resident of Village- Baghauni, PS- Baheri, District- Darbhanga, at present posted as Teacher in Middle School, Nimaithi, District- Darbhanga.
7. Satish Kumar Jha Son of Late Jai Shankar Jha Resident of Village- Lahta, PS- Ali Nagar, District- Darbhanga at present posted as teacher in Upgraded Middle School, Kathra (North), Tardih, District- Darbhanga.
8. Santos Kumar Rai Son of Late Ramesh Chandra Rai Resident of Village- Lagma, PS- Tardih, District- Darbhanga at present posted as Teacher in Rajkiya Urdu Primary School, Banka, Anchal- Tardih, District- Darbhanga.
9. Md. Nejamuddin Son of Late Md. Daud Resident of Village- Loaam, PS- Darbhanga Sadar, District- Darbhanga, at present posted as Teacher in Upgraded Middle School, Boaam, Anchal- Darbhanga Sadar, District- Darbhanga.
10. Raghaw Kumar Lal Son of Late Chiranjiv Lal Resident of Village- Gorapatti, PS- Ashok Paper Mill, District- Darbhanga at present posted as Teacher in Rajkiya Banshidas Kanya Middle School, G.N. Ganj, Anchal- Laheriyasarai, District- Darbhanga.
11. Md. Anas Son of Late Md. Idris Resident of Village- Pali, PS- Ghanshyampur, District- Darbhanga, at present posted as teacher in Middle School, Karamganj (Urdu), Anchal- Laheriyasarai, District- Darbhanga.
12. Manish Ranjan Son of Late Sneha Prabha Sinha Resident of Village- Bheluchak, PS- Darbhanga Sadar, District- Darbhanga at present posted as teacher in Middle School, Basantganj, Anchal- Darbhanga Nagar, District- Darbhanga.
13. Baidyanath Paswan Son of Late Janak Paswan Resident of Village- Pararhi,



- PS- Bahadurpur, District- Darbhanga at present posted as teacher in Primary School, B.M.P.- 13 Bajitpur, Anchal- Bahadurpur, District- Darbhanga.
14. Rakesh Kumar Mishra Son of Late Sitaram Mishra Resident of Village- Janki Nagar, PS- Madhwapur, District- Darbhanga at present posted as teacher in Mundrika Devi Kanya Primary School, Shubhankarpur, Anchal- Darbhanga Nagar, District- Darbhanga.
 15. Kamlesh Choudhary Son of Late Suryakant Choudhary Resident of Village- Pindrup, PS- Kamtaul, District- Darbhanga at present posted as Teacher in Primary School, Madhupur, Anchal- Darbhanga Sadar, District- Darbhanga.
 16. Wakar Manauar Son of Late Safiur Rahman Resident of Village- Shatrupatti, PS- Ghoghardiha, District- Madhubani at present posted as teacher in Middle School, Gidarganj, Anchal- Bahadurpur, District- Darbhanga.
 17. Asit Paswan Son of Late Suwailal Paswan Resident of Village- Nardariya, PS- Hanuman Nagar, District- Darbhanga at present posted as teacher in Rajkiya Middle School, Chakka Pirrhi, Anchal- Bahadurpur, District- Darbhanga.
 18. Md. Nadim Akhtar Son of Late Nasim Akhtar Resident of Village- Khirna, PS- Kewti, District- Darbhanga at present posted as teacher in Primary School, Khaparpura (Harijan), Anchal- Kewti, District- Darbhanga.
 19. Phool Kumar Jha Son of Late Ram Kripal Jha Resident of Village- Dekuli, PS- Darbhanga Sadar, District- Darbhanga at present posted as teacher in Middle School, Sinuwar Gopal, Anchal- Bahadurpur, District- Darbhanga.
 20. Ghanshyam Jha Son of Late Bharat Jha Resident of Village- Kusauthar, PS- Bahadurpur, District- Darbhanga at present posted as Teacher in Primary School, Govindpur, Anchal- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, New Secretariat, Vikas Bhawan, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, New Secretariat, Vikash Bhawan, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, New Secretariat, Vikash Bhawan, Government of Bihar, Patna.
4. The Joint Secretary, Education Department, New Secretariat, Vikash Bhawan, Government of Bihar, Patna.
5. The Special Secretary, Education Department, New Secretariat, Vikash Bhawan, Government of Bihar, Patna.
6. The District Magistrate, Darbhanga.
7. The District Education Officer, Darbhanga.
8. The District Programme Officer (Establishment) Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sujit Kumar Singh



For the Respondent/s : Mr.Prabhakar Jha (Gp27)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 03-01-2024 Heard learned Counsel for the parties concerned.

2. The petitioners, who are Assistant Teachers, working in various Middle Schools, in the district of Darbhanga, filed the present writ application for quashing Memo No. 336, dated 07.03.2019, issued by the respondent no. 4.

3. Learned Counsel for the petitioners submits that the same memo was the subject matter of a writ application filed by the similarly situated teachers, in CWJC No. 9179 of 2019, and a co-ordinate Bench of this Court, by a detailed order, dated 24.12.2021, allowed the writ application and declared that the respondents shall not interfere with the appointment of the petitioners made on the regular vacant posts of Teachers/Assistant Teachers in the regular pay scale. He, thus, submits that the present case is squarely covered by the judgment, dated 24.12.2021, passed by a co-ordinate Bench of this Court. in CWJC No. 9179 of 2019.

4. Learned Counsel for the State does not dispute the statement made by learned Counsel for the petitioners.

5. Accordingly, the present writ application is also allowed exactly in terms of the judgment, dated 24.12.2021,



passed in CWJC No. 9179 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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