

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12036 of 2021**

1. Sangeeta Devi D/o Satyanarayan Prasad Shrivastav R/Vill and P.O.- Siswaniya, P.S.- Uchkagon, District- Gopalganj. Present Address- W/o- Manoj Kumar Shrivastav, R/Viil and P.O.- Aurai, P.S.- Barhariya, District- Siwan.
2. Jaikishor Rai Son of Nathuni Rai R/Vill- Rasauti, P.O.- Dharhara, P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Principal Secretary, Dept. of Human Resources Development, Govt. of Bihar, New Secretariat, Patna.
3. The Principal Secretary, Dept. of Personal and Administrative Reforms now known as Dept. of General Administration, Govt. of Bihar, Old Secretariat, Patna.
4. The Director, Primary Education, Dept. of Human Resources Development, Govt. of Bihar, New Secretariat, Patna.
5. The Director, Mass Education (Jan Shiksha) Dept. of Human Resources Development, Govt. of Bihar, New Secretariat, Patna.
6. The District Magistrate, West Champaran.
7. The District Education Officer, West Champaran.

... .. Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr.Devanand Tiwari, Adv.         |
| For the State        | : | Mr.Madhaw Pd. Yadaw, GP-23       |
|                      |   | Mr.Rajesh Kr. Sinha, AC to GP-23 |
| For the Respondent/s | : | Mr.Lalit Kishore (AG)            |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

- 3      24-04-2024                      1. The present writ petition has been filed seeking the following relief(s):-

*“1.(i) For issuance an appropriate writ/s in the nature of mandamus directing/commanding the respondents particularly respondent No. 2 to make absorption/ appointment of the petitioners on the post of class III and class -IV*



*against vacant/ sanctioned post in the different department in the state by adopting same policy as had been taken for absorbing the services of the Supervisors working under the Non-formal Education (live the writ petitioners) and to absorb them in regular Govt. service as per their qualification after relaxation of age of the petitioners because the petitioners are instructions under the Govt. of India Scheme in 1981-82 for giving Non formal Education to the children of 6 to 14 years at different centers in the state.*

*(ii) For further issuance of an appropriate writ in the light of the order dated 21.4.11 passed by this Hon'ble court in C.W.J.C. No. 8418/10 in ( Sheo Bhajan Diwakar and other Vs. The State of Bihar & ors.) as contained in Annexure- 1 to this writ application by which a specific direction has been given to absorption of the instruction of Non formal Education programme against the sectioned/vacant post of class - IV post in the different department in the state within stipulated time as fixed in the said order.*

*(iii) For further directing the respondents to comply the order dated 11.8.15 passed by division bench of the Hon'ble High court in L.P.C. No. 1489/11 (the state of Bihar & ors. Versus Sheo Bhajan Pd. Diwakar others) as contained in Annexure -3 in which specific*



*direction has also been given to absorption of the instructors of Non formal Education Programme against the sectioned post of class - IV post.*

*(iv) For disposal of the present writ petition in term of the order dated 11.8.15 passed in L.P.A. No. 1489/11 (the state of Bihar & ors. Vs. Sheo Bhajan Pd. Diwakar & ors.) and also M.J.C. No. 809/12 because matter is similarly effected the petitioners. Which is pending before this Hon'ble High Court.”*

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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