

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10222 of 2022

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Rani Kumari w/o - Dinesh Kumar Singh and D/o Sri Turanti Prasad Singh
Resident of Village - Lagma, P.S. - Chautham, District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Khagaria.
2. The District Education Officer, Khagaria, District - Khagaria.
3. The District Programme Officer (Establishment) Education Department, Government of Bihar, Khagaria, District - Khagaria.
4. Block Education Officer, Education Department, Govt. of Bihar, Mansi, District - Khagaria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 8423 of 2022

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Sanjay Kumar Son of Sobran Paswan Resident of Village-Taregna Dih, P.O. and P.S.-Masaurhi, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary, Education, Govt. of Bihar, Patna.
2. The District Magistrate, Patna, P.S. and District-Patna.
3. The Deputy Secretary, Educaton Department of State of Bihar, Patna,
4. The Director, State Council of Educational Research and Training, Bihar Education Department, Bihar, Patna.
5. The District Education Officer, Patna, District-Patna.
6. The District Programme Officer (Establishment), Patna, District-Patna.
7. The Block Education Officer, Dhanarua Block-P.S.-Dhanarua, District-Patna.
8. The Panchayat Secretary, Pabhera, Gram Panchayat Pabhera, P.S.-Dhanarua, District-Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 8446 of 2022

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Husan Ara W/o Wasim Ahmed, R/o Village- Rudalpur, P.S. Jalalpur, District-Saran.

... .. Petitioner/s



Versus

1. The State of Bihar through The Principal Secretary, Primary Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resource Development Department, Government of Bihar
3. The District Magistrate, Saran at Chapra.
4. The Regional Deputy Director of Education, Saran at Chapra.
5. The Circle Office, Jalalpur, Chapra
6. District Education Officer, Saran at Chapra.
7. District Programme Officer SARV SIKSHA ABHIYAN, Saran at Chapra.
8. District Programme Coordinator, SARV SIKSHA ABHIYAN, Chapra.
9. Block Education Officer, Jalalpur, Chapra.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10277 of 2022

Awantika Kumari W/o- Ranveer Singh, Resident of Mohalla- Gaya College Gaya, Rampur, P.O.- Rampur, P.S.- Gaya, District- Gaya and present working as a Prakhand Teacher in Middle School, Makhraul, Prakhand- Dobhi, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Gaya.
5. The District Programme Officer (Establishment), Gaya.
6. The Block Education Officer, Runisaidpur, Dobhi, Gaya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10613 of 2022

Aditya Kumar Tiwari S/o Kamalnath Tiwari, Resident of Village-Gonauli, P.S.-Lauriya, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.



2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Education Officer, West Champaran at Bettiah.
5. The District Programme Officer, Establishment, West Champaran at Bettiah.
6. The Block Education Officer, Lauriya Block, District West Champaran.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10838 of 2022

1. Md. Waqar Alam Son of Md. Alam, Resident of Village- Kashimpur, Police Station- Salkhua, District- Saharsa.
2. Afsar Alam Son of Samshul Hoda, Resident of Village- Rani Bag, Police Station- Simri Bakhtyarpur, District- Saharsa.
3. Fatima Zohra @ Fatma Zohra Wife of Md. Sajjad Alam, Resident of Village- Paharpur, Police Station- Simri Bakhtyarpur, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar.
4. The District Education Officer, Saharsa.
5. The District Programme Officer (Establishment), Saharsa.
6. The Block Education Officer, Banma Ithari, District- Saharsa.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10870 of 2022

1. Swarnlata Verma wife of Rakesh Kumar, resident of Village- Nandai Tola Deochandih, Pipara, Dumariya, District- Gaya, Presently posted as Panchayat Teacher, Primary School, Aurwatar, Panchayat Narayanpur, Block- Dumariya, District- Gaya.
2. Kalpana Kumari wife of Sushil Sharma, resident of Village- Mastalipur, P.O. Bara Gandhar, P.S. Muffasil, District- Gaya, presently posted as Panchayat Teacher Primary School, Simari Panchayat Narayanpur, Block- Dumariya, District Gaya.
3. Anita Kumari wife of Manish Kumar, resident of Village- Maira, P.O. Jhikatiya Kala, Block Imamganj, District Gaya, presently posted as



- Panchayat Teacher, Primary School Jhangat, Panchayat Bhokaha, Block Dumariya, District Gaya.
4. Suryakanti Kumari wife of Rupesh Paswan, resident of Village- Kachar, P.O. Gotibandh, P.S. Dumariya, District Gaya, presently posted as Panchayat Teacher, Primary School, Simari, Panchayat Narayanpur, Block Dumariya, District Gaya.
 5. Shabanam Praveen daughter of Ali Imam, resident of Village- Beninagar, P.O. Maigra, P.S. Bhadwar, District- Gaya, presently posted as Panchayat Teacher, Primary School, Islampur, Panchayat Kachar, Block- Dumariya, District Gaya.
 6. Rubi Kumari wife of Manoj Prasad, resident of Village- Pokharapur, P.O. Kewla Kala, P.S. Dumariya, District Gaya, presently posted as Panchayat Teacher, Primary School, Bhuiyadih, Panchayat- Narayanpur, Block- Dumariya, District- Gaya.
 7. Akanksha Kumari wife of Deepak Kumar, resident of Village- Bhaluhar, P.O. and P.S. Bankey Bazar, District- Gaya, presently posted as Panchayat Teacher, Primary School, Bhuiyadih, Panchayat Narayanpur, Block Dumariya, District Gaya.
 8. Baby Kumari daughter of Shiyawar Sharan Singh, resident of Village- Londa P.O. Pipara, District Gaya, presently posted as Panchayat Teacher, Primary School, Naykadih, Panchayat Narayanpur, Block Dumariya, District Gaya.
 9. Sweta Kumari wife of Raushan Kumar, resident of Village- Londa, P.O. Pipara, District- Gaya, presently posted as Block Teacher, Kanya Middle School, Rampur, Panchayat Narayanpur, Block Dumariya, District- Gaya.
 10. Rakhi Kumari wife of Vivek Ranjan, resident of Village- Mahamadpur, P.O. and P.S. Khizarsarai, District- Gaya, presently posted as Panchayat Teacher, Primary School, Tandwa (HT), Panchayat Bhokha, Block Dumariya, District Gaya.
 11. Sushil Sharma son of Ramchandra Thakur, resident of Village- Mastalipur, P.O. Bara Gandhar, P.S. Muffasil, District- Gaya, presently posted as Panchayat Teacher, Primary School, Piparehat, Panchayat Chhakarbandha, Block Dumariya, District Gaya.
 12. Anil Kumar son of Balchand Paswan, resident of Village- Pankra, P.O. Adarchan, P.S. Dumariya, District Gaya, presently posted as Panchayat Teacher, Primary School, Bhuiyadih, Panchayat Narayanpur, Block Dumariya, District- Gaya.
 13. Ranjit Kumar son of Siyawar Prasad, resident of Village- Londa, P.O. Pipara, District- Gaya, presently posted as Panchayat Teacher Primary School, Phuleldih (HT) Panchayat Narayanpur, Block Dumariya, District Gaya.
 14. Jaynendra Kumar son of Ajay Prasad, resident of Village- Nandai, Tola Devchanddih, P.O. Pipara, District- Gaya, presently posted as Panchayat Teacher, Primary School, Piprehat, Panchayat Chhakarbandha, Block Dumariya, District- Gaya.
 15. Vikash Mistri son of Brahamdev Mistri, resident of Village- Karhanni, P.O. Pipra, District Gaya, presently posted as Panchayat Teacher, Primary School,



Phuleldih (HT), Panchayat Narayanpur, Block Dumariya, District- Gaya.

16. Rakesh Kumar son of Ajay Prasad, resident of Village- Nandai Tola Deochandih, P.O. Pipra, District Gaya, presently posted as Panchayat Teacher, Primary School, Hariyo Bara, Panchayat Narayanpur, Block Dumariya, District Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. The Director (Primary Education), Education Department, Bihar, Patna.
3. The District Magistrate, Gaya.
4. The District Education Officer, Gaya.
5. The District Programme Officer (Establishment), Gaya.
6. The Block Development Officer, Dumariya, District- Gaya.
7. The Block Education Officer, Dumariya, District- Gaya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11763 of 2022

Samim Shah son of Hakim Shah, resident of Village-Mista, P.S. Alauli, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Department (Educational), Bihar, Patna.
2. The Director, Secondary Education, Bihar, Patna, The Director General of Police, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The D.D.C.-cum-Chief Executive Officer-cum-Member Secretary, Zila Parishad, Samastipur.
5. The District Education, Samastipur.
6. The District Programme Officer, (establishment), Samastipur.
7. The Incharge Headmaster P.S.P plus 2 School, Bithan, Block Bitha, District-Samastipur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11813 of 2022

1. Sahabu Din Alam @ Shahabu-Din S/o Bhikhari Miya R/o Harpur Jan,



Saran, Bihar- 841410.

2. Akhtar Hussain S/o Muslim Miya R/o Jagdishpur, Rajapatti, Gopalganj, Bihar- 841420.
3. Arjun Manjhi S/o Pyarchand Manjhi R/o Chamanpura, Baikunthpur, Gopalganj, Bihar- 841416.
4. Ashok Kumar Sharma S/o Kailash Sharma R/o Bangara, Rajapatti, Gopalganj, Bihar- 841420.
5. Sunil Kumar S/o Lakshmi Ray R/o Karmshila, Paharpur, Kamsila, Gopalganj, Bihar- 841420.
6. Guddu Kumar Sharma S/o Rajbanshi Sharma R/o Village- Basaha, P.O.- Rajapatti, P.S.- Baikunthpur, Gopalganj, Bihar- 841416.
7. Deepak Kumar S/o Late Manoj Kumar R/o Village Bansohi, P.S.- Mashrakh, Chapra, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar.
2. The Director, Education Department, Bihar, Patna.
3. The District Education Officer, Gopalganj, Bihar.
4. The District Program Officer (Establishment), Gopalganj, Bihar.
5. The Block Education Officer, Singhwalia, Gopalganj.
6. The Block Education Officer, Barauli, Gopalganj.
7. The Block Education Officer, Baikunthpur, Gopalganj.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12237 of 2022

Vivek Kumar S/o Yogendra Prasad Yadav, R/o Village- Murliganj, Ward No.- 11, Near Durga Asthan Chowk, P.S.- Murliganj, Dist.- Madhepura. At present Asst. Teacher N.P.S. Tapara Tola, Kathotia Panchayat Shekhpura, P.S.- Bihariganj, Dist.- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director Primary Education, Bihar, Patna.
2. The Director Primary Education Bihar, Patna.
3. The Collector Madhepura, Dist.- Madhepura at Madhepura.
4. The District Education Officer, Madhepura at Madhepura.
5. The District Program Officer Madhepura at Madhepura.
6. The Block Education Officer Bihariganj, Dist.- Madhepura.



... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12389 of 2022

Soni Gupta D/o Sri Suresh Gupta Resident of Village and P.O.-Peuli, P.S.-Mirganj, District-Gopalganj, Presently residing at Village-Derwa, P.O.-Songarhwa, P.S.-Kuchaikote, District-Gopalganj, At Present Posted as Panchayat Teacher in N.P.S., Sidharth ke Bari, Block-Hathua, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Education officer, Hathua, P.O. and P.S.-Hathua, District-Gopalganj.
5. The Headmaster, N.P.S., Sidharth ke Bari, Block Hathua, District-Gopalganj.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12485 of 2022

Kumari Basanti W/o Bishram Singh Resident of Village- Bank, P.S.- Akorhi Gola, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Rohtas at Sasaram.
4. The District Programme Officer (Establishment), Rohtas at Sasaram.
5. The Block Education Officer, Dehri, District- Rohtas.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13052 of 2022

Shree Deo Das @ Shree Dev Das son of Kishun Das, Resident of Village-Sahpur, P.O.-Narayanpur, P.S.-Bihpur (Bhawanipur), District-Bhagalpur.



... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Khagaria.
2. The District Magistrate, Khagaria.
3. The District Education Officer, Khagaria.
4. The District Program Officer (Establishment), Khagaria.
5. The Block Education Officer, Gogri, Khagaria.
6. The Block Development Officer, Gogri, Khagaria.
7. The Headmaster, Primary School, Bhimri, Gram Panchayat Raj Paikant, Block-Gogri, District-Khagaria.
8. The Panchayat Secretary-cum-Member Secretary, Gram Panchayat Raj Paikant, Block-Gogri, District-Khagaria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13805 of 2022

Vinay Kumar Son of Bikrama Prasad Sah, Resident of Village- Usari, P.S.- G.V. Nagar Tarwara, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer, Gopalganj.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14066 of 2022

1. Vinod Kumar @ Binod Kumar Son of Sri Kalicharan Paswan, Resident of Village- Daudpur, P.O. - Barara, P.S.- Silao, District- Nalanda, Presently working as Panchayat Teacher in Primary School, Mirza Bigha, Block-Silao, District- Nalanda.
2. Sudhanshu Kumar Son of Sri Ganauri Mishtri, Resident of Village- Kapatia, P.O. and P.S. and District- Nalanda, Presently working as Panchayat Teacher in Primary School, Mirza Bigha, Block- Silao, District- Nalanda.
3. Punam Kumari W/o Niraj Kumar Resident of Village and P.O. - Amarpura, P.S.- Naubatpur, District- Patna, Presently working as Panchayat Teacher in



Primary School, Jagdishpur, Block- Silao, District- Nalanda.

4. Nikkee Kumari D/o Kapildeo Prasad, Resident of Niyamat Nagar, P.O. and P.S. - Dharhara, District- Nalanda, Presently working as Block Teacher in U.M.S. Vindi Dih, Block - Silao, District- Nalanda.
5. Shilanand Son of Sri Ganauri Mishtri, Resident of Village- Kapatia, P.O. and P.S. and District - Nalanda, Presently working as Panchayat Teacher in Primary School, Jona, Block - Silao, District- Nalanda.
6. Shilpa Kumari Wife of Sri Rajesh Raushan, Resident of Bhawani Bigha, P.O. and P.S. - Warsiliganj, District- Nawada, Presently working as Block Teacher in U.M.S., Vindi Dih, Block- Silao, District- Nalanda.
7. Shiv Kumar Chaudhary Son of Sri Saryug Chaudhary, Resident of Village and P.O. - Paharia, P.S- Shekhopur Sarai, District- Sheikhpura, Presently working as Panchyat Teacher in Primary School, Chamargiha, Block- Silao, District- Nalanda.
8. Binod Kumar Son of Banwari Saw, Resident of Village - Bihta, P.O. - Alipur Bihta, P.S- Salimpur District- Patna, Presently working as Panchyat Teacher in Primary School, Badgaon Gadh Par, Block - Silao, District- Nalanda.
9. Shagufta Fatmi D/o Mahboob Ashraf, Resident of Village - Pantesa, P.O. and P.S. and District - Nalanda, Presently working as Panchayat Teacher (Urdu) in Primary School, Bidupur, Block- Silao, District- Nalanda.
10. Bimal Chaudhary Son of Jagdish Chaudhary, Resident of Village - Mirbigha, P.O. - Lalbigha, P.S. - Panchi, District- Sheikhpura, Presently Working as Panchayat Teacher in Primary School, Koiliya Islampur, Block- Islampur, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Nalanda.
3. The District Programme Officer (Establishment), Nalanda.
4. The Block Development Officer, Silao, P.O. and P.S. - Silao, District- Nalanda.
5. The Block Education Officer, Silao, P.O. and P.S. - Silao, District- Nalanda.
6. The Block Education Officer, Islampur, P.O. and P.S. - Islampur, District- Nalanda.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 18335 of 2022

Pashupatinath Singh S/o- Shri Arjun Singh, R/o- Village Chanp Tola Teghra, P.O.- Chanp, P.S.- o.p.saray, District- Siwan, working as Panchayat teacher under the new primary school, Rasulpur Bind Tola, Hussainganj, Siwan.



... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education Department, Government of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Development Officer, Hussainganj, Siwan.
7. The Block Education Officer, Hussainganj, Siwan.
8. The Panchayat Secretary, Gram Panchayat Raj, Champ.
9. The Headmaster, New Primary School Rasulpur, Bind Toli, Hussainganj, Siwan.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3618 of 2023

1. Manish Kumar Son of Sri Deep Narayan Yadav, Resident of Village- Reshana, Ward No. 1, P.O.- Bishanpur Arar, P.S.- Gwalpara, District- Madhepur.
2. Sudhir Kumar Yadav Son of Sri Sushil Kumar Yadav, Resident of Village- Domahan, Bela Singer Moti, Ward No. 3, P.O.- Dighiya, P.S.- Nirmali, District- Supaul.
3. Sanjay Kumar Yadav Son of Maheshwar Prasad Yadav, Resident of Village- Theho Anandpur, Ward No. 11, P.O.- Dagmara, P.S.- Kunaoli, District- Supaul.
4. Kumari Adlin Raj Wife of Sri Rakesh Roshan, Resident of Village- Sahugarh, Ward No. 7, P.O.- Bhagwanpur, P.S.- Madhepura, District- Madhepura.
5. Nirmala Kumari Wife of Sri Shiv Krishna Prasad Gupta, Resident of Village- Narahi, Ward No. 3, P.O.- Mahadeomath, P.S.- Andhramath, District- Madhubani.
6. Ful Kumari Devi Wife of Sri Chandradeo Prasad, Resident of Village- Dagmara, Ward No. 14, P.O.- Dagmara, P.S.- Kunaoli, District- Supaul.
7. Kiran Kumari Wife of Sri Sanjay Kumar Sah, Resident of Village- Dagmarla, Ward No. 08, P.O.- Dagmara, P.S.- Kunaoli, District- Supaul.
8. Manta Kumari Wife of Sri Dambar Kumar Safi, Resident of Village- Haripur, P.O.- Kunaoli, P.S.- Kunaoli, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.



2. The District Education Officer, Supaul.
3. The District Programme Officer, (Estb.), Supaul.
4. The Block Education Officer, Block- Nirmali, Distt.- Supaul.
5. The Block Development Officer, Block- Nirmali, Distt.- Supaul.
6. The Panchayat Secretary-cum-Secretary Employment Unit, Panchayat Raj Dagmara,Block- Nirmali, Distt.- Supaul.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3916 of 2023

Satya Narayan Chaudhary S/o Kailash Chaudhary R/o village - Baligarh, P.S. - Runni-saidpur, District - Sitamarhi. A/p- Panchayat Teacher, Primary School, Baligarh (Harijan), P.S. - Runnisaidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Government of Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. District Education Officer, Sitamarhi.
4. The District Program Officer (Establishment), Sitamarhi.
5. The Head Master, Primary School, Baligarh (Harijan), P.S.- Runnisaidpur, District - Sitamarhi.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 4210 of 2023

Sunil Chaudhary Son of Nathul Chaudhary, resident of Village - Kana Bigha, Post - Silaunja, Police Station - Belaganj in the district of Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Jehanabad.
5. The District Programme Officer (Estb.), Jehanabad.
6. The Block Development Officer, Jehanabad.
7. The Block Education Officer, Jehanabad.



... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6818 of 2023

Anjay Kumar Son of Ganesh Das Resident of Village and P.O.- Tetri, P.S.- Naugachia, District- Bhagalpur, Presently posted and Working as Untrained Panchayat Teacher (Primary) New School, Marghia, Panchayat Raj West, Barinagar, Block- Barari, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Human Resources Department, Government of Bihar, Patna.
2. The Additional Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Director, Primary Education, Patna, Bihar.
4. The District Magistrate, Katihar.
5. District Superintendent of Education, Katihar.
6. Block Education Officer, Barari, Katihar.
7. Block Development Officer, Barari, Katihar.
8. The Panchayat Secretary, Gram Panchayat Raj West Barinagar, P.S. and Block- Barari, District- Katihar.
9. The Head Master, Primary New Vidyalaya, Maraghiya West Tola, Gram Panchayat Raj West Barinagar, P.S. and Block- Barari, District- Katihar.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7915 of 2023

Babulal Choudhary Son of Jagdish Choudhary Resident of Village- Mahammaadpur, P.O.-Raitar, P.S.-Giriyak, District- Nalanda, PIn-803109

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Cum-Commissioner, Department of Education, State of Bihar, Patna.
2. The Director (Primary Education), Department of Education, New Secretariat, Patna.
3. District Magistrate, Nalanda.
4. The District Education Officer, Nalanda.
5. The District Programme Officer, Establishment Nalanda.
6. The Block Development Officer, Silao, Nalanda.
7. The Block Education Officer, Silao, Nalanda.



8. The President-Cum-Mukhiya, Employment Committee, Panchayat Fatehpur, Nalanda.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11735 of 2023

Sanjeev Sharma son of Akhilesh Sharma, Resident of Village-Nurasa, P.S. Kako, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Directorate Education Department, Govt. of Bihar, Patna.
3. The Secretary, Human Resources Department, Govt. of Bihar, Patna.
4. The District Magistrate, Jehanabad.
5. The District Education Officer, Jehanabad.
6. The District Programme Officer (Establishment), Jehanabad.
7. The Block Education Officer, Block-Kako, District-Jehanabad.
8. The Panchayat Secretary, Gram Panchayat Nerthuwa, District-Jehanabad.
9. The Principal, Primary School, Village-Lakshmi Bigha, Gram Panchayat Nerthuwa, Block-Kako, District-Jehanabad.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12830 of 2023

Nirmala Kumari W/o-Akhilesh Singh R/o-Village-Chhakn Bigha, P.O.-Barun, P.S.-Barun, District-Aurangabad. At Present Working as Panchayat Teacher, Primary School Yadav Tola, Lodipur, Block-Sheikhpura, District-Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secreary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Education Officer, Sheikhpura.
4. The District Programme Officer (Estt.) District-Sheikhpura.
5. The Headmaster, Primary School Yadav Tola, Lodipur, Block-Sheikhpura, District-Sheikhpura.
6. The Panchayat Secretary, Gram Panchayat Raj Lodipur, Block-Sheikhpura,



District-Sheikhpura.

7. The Mukhiya Gram Panchayat Raj Lodipur, Block-Sheikhpura, District-Sheikhpura.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12838 of 2023

1. Ram Naresh Manjhi Son of Mohan Manjhi, Resident of Village Karmaini Ghazi, P.S. - Kuchaikot, District - Gopalganj.
2. Rajesh Kumar Sah, son of Paras Nath Sah, Resident of Village Karmaini Ghazi, P.S. - Kuchaikot, District- Gopalganj.
3. Shankar Bhagwan Yadav, Son of Ramnath Yadav, Resident of vill.- Baliwan Sagar, P.S.- Bishambharpur, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. Additional Chief Secretary, Department of Human Resource Development, Govt. of Bihar, Patna.
3. District Education Officer, Gopalganj.
4. District Programme Officer (Estb.) cum Nodal Officer, Vigilance Cell, Gopalganj.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 1943 of 2024

1. Ranjeet Kumar Son of Yogendra Kumar, Resident of Mohalla - Bengali Para Rajgir, P.S. - Rajgir, District - Nalanda.
2. Shiv Kumar Chaudhary, Son of Munshi Chaudhary, Resident of Village -Nalanda More, P.S. - Nalanda, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Nawada.
4. The District Programme Officer, Establishment, Nawada.
5. The Block Education Officer, Akbarpur, Nawada.
6. The Headmaster, Primary School, Munipur, Block - Akbarpur, Nawada.
7. The Panchayat Secretary, Gram Panchayat Makhar, Akbarpur, Nawada.



... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 3394 of 2024

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1. Manish Kumar son of Sri Kripa Shankar Sharma, Resident of village - Heman Chapra, Post and Police Station - Kotwa, district - East Champaran, at present posted at Primary School, Kanspur, Gram Panchayat Raj Darmaha, Block Kalyanpur, District East Champaran,
2. Pushpa Kumari, daughter of Sri Kameshwar Singh, resident of village Darmaha, Post Darmaha, Police Station Kesariya, District East Champaran, at present posted at Primary School, Ramgarhwa, Gram Panchayat Raj Darmaha, Block Kalyanpur, District East Champaran,
3. Shashikant Prasad, son of Sri Mangal Prasad, resident of village Rampur Gopal, Post Koyla Belwa, Police Station Chakiya, District East Champaran, at present posted at Utkramit Middle School, Darmaha, Gram Panchayat Raj Darmaha, Block Kalyanpur, District East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Through Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna.
4. The District Education Officer, East Champaran
5. The District Programme Officer, Establishment, East Champaran
6. The Block Education Officer, Kalyanpur Block, East Champaran.
7. The Panchayat Secretary, Gram Panchayat Raj Darmaha, Kalyanpur Block, East Champaran

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 3550 of 2024

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Ramakant Yadav son of Late Bhuneshwar Yadav, resident of Village-Jamuawan, Police Station-Muffasil, in the district of Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.



4. The District Education Officer, Gaya.
5. The District Program Officer (Estb.) Gaya.
6. The District Panchayat Raj Officer, Gaya.
7. The Block Education Officer, Manpur Block in the district of Gaya.
8. The Gram Panchayat Sohaipur under Manpur Block in the district of Gaya through its Secretary.
9. The Panchayat Secretary, Gram Panchayat Sohaipur under Manpur Block in the district of Gaya.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 4325 of 2024

1. Priyanka Kumari Daughter of Sri Ramesh Prasad, R/o village and P.O. - Bisainikala, P.S. Rajpur.
2. Munna Prasad Gupta, Son of Dinesh Prasad Gupta, R/o - Ward No. 16, Dehri on Sone, P.O. - Dehri on Sone, District- Rohtas.
3. Pushpa Kumari, D/o Siyanandan Ram, R/o Raidas Nagar, Ward No.8, P.S.- Mirzapur, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Government of Bihar, New Secretariat, Patna.
2. The District Education Officer, Rohtas.
3. The District Programme Officer (Establishment) Rohtas.
4. The Municipal Commissioner, Sasaram, P.O. and P.S. - Sasram, District - Rohtas at Sasaram.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 6489 of 2024

Akhileshwar Prasad son of Late Bir Bahadur Prasad, resident of Village- Hussepur (Navkatola), P.S.-Bhorey, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Secretary and Commissioner, Department of Human Development Resources, Government of Bihar, Patna.
3. The Director, Primary Education Department of Human Resources Development, Government of Bihar, Patna.



4. The Collector, Gopalganj, District-Gopalganj.
5. The District Superintendent of Education, Gopalganj, District-Gopalganj.
6. The Area Education Officer (Kshetra Shiksha Padadhikari), Bhorey, District-Gopalganj.
7. The Block Development Officer, Bhorey, District-Gopalganj.
8. The Block Education Officer, Bhorey, District-Gopalganj.
9. The District Teachers Employment Tribunal, Gopalganj.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 7458 of 2024

1. Nawal Kishore Pandey Son of Mahendra Pandey, posted in Prakhand Teacher in Utkramit Middle School Madhopur, Block- Akbarpur, District- Nawadah.
2. Mahesh Prasad Singh, Son of Munni Singh, posted as Prakhand Teacher in Urdu Middle School, Pithori, Block- Akbarpur, District- Nawadah.
3. Arjun Chaudhary, Son of Narayan Chaudhary, posted as Prakhand Teacher in Utkramit Middle School, Madhopur, Block- Akbarpur, District- Nawadah.
4. Rakesh Kumar, Son of Umesh Prasad Sharma, posted as Prakhand Teacher in Utkramit Middle School, Madhopur, Block- Akbarpur, District- Nawadah.
5. Ranjit Kumar, Son of Mahendra Singh, posted as Prakhand Teacher in Utkramit Middle School, Madhopur, Block- Akbarpur, District- Nawadah.
6. Sanjeev Kumar, Son of Kedar Singh, posted as Prakhand Teacher in Utkramit Middle School, Kulno, Block- Akbarpur, District- Nawadah.
7. Sindhu Rani, Daughter of Ram Anugrah Prasad Singh, posted as Prakhand Teacher in Middle School, Mahanandpur, Block- Akbarpur, District- Nawadah.
8. Ratan Kumar, Son of Arjun Chaudhary, posted as Prakhand Teacher in Middle School, Paharpur, Block Akbarpur, District- Nawadah.
9. Arvind Kumar, Son of Nawal Kishore Prasad Singh, posted as Prakhand Teacher in Utkramit Middle School, Kajhia, Block- Akbarpur, District- Nawadah.
10. Uday Prasad Singh, Son of Late Rajendra Prasad Singh, posted as Prakhand Teacher in Utkramit Middle School, Maheshdih, Block- Akbarpur, District- Nawadah.
11. Sinheshwar Prasad Singh, Son of Shiv Prasad Singh, posted in Prakhand Teacher in Utkramit Middle School, Bhubhai, Block- Akbarpur, District- Nawadah.
12. Uday Prabhakar, Son of Madan Mohan Pandey, Posted as Prakhand Teacher in Middle School- Jalalpur, Block Akbarpur, District- Nawadah.
13. Nisha Singh, Daughter of Anil Kumar, posted as Prakhand Teacher in Middle School- Ningari, Block- Akbarpur, District- Nawadah.



14. Pramila Kumari, Wife of Hari Nandan Prasad, posted in Prakhand Teacher in Middle School, Koeribigha, Block- Akbarpur, District- Nawadah.
15. Puja Kumari, Daughter of Jai Prakash Singh, Posted as Prakhand Teacher in Middle School, Kalonda, Block- Akbarpur, District- Nawadah.
16. Farhat Naz, Daughter of Md. Kamruddin Ansari, posted as Prakhand Teacher in Utkramit Middle School, Deora, Block- Akbarpur, District- Nawadah.
17. Baby Kumari, Daughter of Dashrath Chaudhary, posted as Prakhand Teacher in Kanya Middle School, Akbarpur, Block- Akbarpur, District- Nawadah.
18. Karyanand Kumar, Son of Dayanand Singh, posted as Prakhand Teacher in Utkramit Middle School, Barail, Block- Akbarpur, District- Nawadah.
19. Arvind Kumar, Son of Janki Ram, posted as Prakhand Teacher in Nationalised Middle School, Kulna, Block- Akbarpur, District- Nawadah.
20. Sanjay Kumar, Son of Ramavatar Prasad, posted as Prakhand Teacher in Nationalised Middle School, Kulna, Block- Akbarpur, District- Nawadah.
21. Shailendra Kumar, Son of Kedar Nath Singh, posted as Prakhand Teacher in Urdu Utkramit Middle School, Makhar, Block- Akbarpur, District- Nawadah.
22. Ravindra Kumar, Son of Kedar Nath Singh, posted as Prakhand Teacher in Utkramit Middle School, Deora, Block- Akbarpur, District- Nawadah.
23. Aditya Narayan Singh, Son of Sri Shiv Nandan Singh, posted as Prakhand Teacher in Urdu Utkramit Middle School, Makhar, Block- Akbarpur, District- Nawadah.
24. Rubi Kumari, Daughter of Deo Narayan Upadhyay, posted as Prakhand Teacher in Middle School, Karam, Block- Akbarpur, District- Nawadah.
25. Priyanka Kumari, Daughter of Shashi Bhushan Kumar Shashi posted as Prakhand Teacher in Utkramit Middle School, Areo, Block- Akbarpur, District- Nawadah.
26. Sanjeev Kumar, Son of Ram Naresh, posted as Prakhand Teacher in Utkramit Middle School, Teyar, Block Akbarpur, District- Nawadah.
27. Anil Chaudhary, Son of Bundi Chaudhary, posted as Prakhand Teacher in Utkramit Middle School, Kajhya, Block- Akbarpur, District- Nawadah.
28. Kusum Lata, Daughter of Krishna Kant Chaudhary, posted as Prakhand Teacher in Utkramit Middle School, Maheshdih, Block- Akbarpur, District- Nawadah.
29. Smita Kumari, Daughter of Sagar Mistri, posted as Prakhand Teacher in Utkramit Middle School, Bhubhai, Block- Akbarpur, District- Nawadah.
30. Birendra Kumar Sinha, son of Gauri Shankar Prasad, posted as Prakhand Teacher in Urdu Utkramit Middle School, Pachrukhi, Block- Akbarpur, District- Nawadah.
31. Md. Asim Imam, Son of Md. Wali Ahmad, posted as Prakhand Teacher in R.M.S. Khaira Kalan, Block Akbarpur, District- Nawadah.
32. Sahnaz Khatoon, Daughter of Md. Salimuddin, posted as Prakhand teacher in Utkramit Middle School, Makhar, Block- Akbarpur, District- Nawadah.



33. Jeenat Bano, Daughter of Shabbir Ahmad, posted as Prakhand Teacher in Urdu Utkramit Middle School, Makhar, Block- Akbarpur, District- Nawadah.
34. Afsar Ali, Son of Md. Shayakool, posted as Prakhand Teacher in Utkramit Urdu Middle School Makhar, Block- Akbarpur, District- Nawadah.
35. Qamar Jabir, Daughter of Nazmul Hoda, posted as Prakhand Teacher in Utkramit Middle School, Rajhat (Urdu), Block- Akbarpur, District- Nawadah.
36. Md. Vakil Ahmad, Son of Md. Imamuddin, posted as Prakhand Teacher in Middle School, Runipur, Block Akbarpur, District- Nawadah.
37. Ishrat Bano, Daughter of Md. Islam, posted as Prakhand Teacher in Middle School, Fatehpur, Block- Akbarpur, District- Nawadah.
38. Md. Shahabuddin, Son of Abdur Raut Warisi, posted as Prakhand Teacher in Utkramit Middle School, Deora, Block- Akbarpur, District- Nawadah.
39. Md. Gheyasuddin, Son of Md. Salimuddin, posted as Prakhand Teacher in Middle School, Paijna, Block- Akbarpur, District- Nawadah.
40. Pramila Kumari, Daughter of Sheetal Singh, posted as Prakhand Teacher in Middle School, Paijna, Block- Akbarpur, District- Nawadah.
41. Md. Kamaluddin, Son of Abdul Raut Warsi, posted as Prakhand Teacher in Middle School, Dadpur, Block- Akbarpur, District- Nawadah.
42. Kanchan Kumari, Daughter of Ramdev Singh, posted as Prakhand Teacher in Utkramit Middle School, Dewra, Block- Akbarpur, District- Nawadah.
43. Shahin Praween, Daughter of Abdul Hassan, posted as Prakhand Teacher in Utkramit Middle School, Dewra, Block- Akbarpur, District- Nawadah.
44. Manorma Kumari, Daughter of Surendra Prasad, posted as Prakhand Teacher in Utkramit Middle School, Telbhadra, Block- Akbarpur, District- Nawadah.
45. Kumari Anamika, Daughter of Ravindra Prasad, posted as Prakhand Teacher in Utkramiit Middle School, Akbarpur, Block- Akbarpur, District- Nawadah.
46. Birju Prasad, Son of Late Ishwar Mahto, posted as Prakhand Teacher in Utkramit Middle School, Srirampur, Block- Akbarpur, District- Nawadah.
47. Uday Ram, Son of Sri Ranjit Ram, posted as Prakhand Teacher in Utkramit Middle School, Sri Rampur, Block- Akbarpur, District- Nawadah.
48. Amrita Devi, Daughter of Suresh Chauhan, posted as Prakhand Teacher in Utkramit Middle School, Paharpur, Block- Akbarpur, District- Nawadah.
49. Sarita Kumari, Daughter of Shiv Balak Paswan, posted as Prakhand Teacher in Middle School, Shepur Pakri, Block- Akbarpur, District- Nawadah.
50. Sunita Kumari, Daughter of Sita Ram, posted as Prakhand Teacher in Utkramit Middle School, Kajhia, Block Akbarpur, District- Nawadah.
51. Rubi Kumari, Daughter of Sita Ram, posted as Prakhand Teacher in Urdu Utkramit Middle School, Pachrukhi, Block- Akbarpur, District- Nawadah.
52. Simple Kumari, Daughter of Parmeshwar Ram, posted as Prakhand Teacher in Utkramit Middle School, Maheshdih, Block- Akbarpur, District- Nawadah.



53. Rajnish Kumar, Son of Arvind Prasad Singh, posted as Prakhand Teacher in Utkramit Middle School, Kusumhar, Block- Akbarpur, District- Nawadah.
54. Satish Kumar, Son of Sri Ramesh Prasad, posted as Prakhand Teacher in Middle School, Akbarpur, Block- Akbarpur, District- Nawadah.
55. Shyam Sundar Kumar Yadav, Son of Mahaveer Prasad Yadav, posted as Prakhand Teacher in Middle School, Akbarpur, Block- Akbarpur, District- Nawadah.
56. Sabana Naz, Daughter of Md. Iddan, posted as Prakhand Teacher in Nationalised Middle School, Akbarpur, Block- Akbarpur, District- Nawadah.
57. Purshottam Kumar, Son of Girjanandan Singh, posted as Prakhand Teacher in Nationalised Middle School, Akbarpur, Block- Akbarpur, District- Nawadah.
58. Seema Kumari, Daughter of Ram Lagan Singh, posted as Prakhand Teacher in Kanya Middle School, Akbarpur, Block- Akbarpur, District- Nawadah.
59. Moti Prasad, Son of Lakhan Yadav, posted as Prakhand Teacher in Utkramit Middle School, Jalalpur, Block- Akbarpur, District- Nawadah.
60. Anil Pandey, Son of Late Kapildeo Pandey, posted as Prakhand Teacher in Utkrakit Middle School, Barail, Block- Akbarpur, District- Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Nawadah, P.S. and Block- Nawada, District- Nawada.
4. the District Programme Officer (Est.), Nawadah, P.S. and Block- Nawada, District- Nawada.
5. The Block Education Officer, Akbarpur, District- Nawadah, P.S. and Block- Nawada, District- Nawada.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 7494 of 2024

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Ritu Verma W/o Rajiv Kamal, R/o- Village Rani-3, Ward No.- 4, P.S.- Bachhwara, Dist- Begusarai, Bihar, 851111, At present Panchayat Teacher at Primary School, Adarsh Nagar (Loha Nagar), Phulwariya- 3 P.S.- Teghra, Dist- Begusarai Bihar, 851111.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Patna, Bihar.
2. The Director (Primary Education), Education Department, New Secretariat



Patna.

- 3. The District Magistrate, Begusarai.
- 4. The District Education Officer, Begusarai.
- 5. The District Program Officer, Begusarai.
- 6. The Block Development Officer, Teghra, Begusarai.
- 7. The Block Education Officer, Teghra, Begusarai.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 8039 of 2024

Sweta Kumari Daughter of Ramdeo Mehta, Wife of Sudhir Kumar Mehta,
Resident of Village and Post Office- Gokulpur, Police Station- Krityanand
Nagar, Disrict- Purnea.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Additional Chief Secretary, Education
Department, Government of Bihar, Patna.
- 2. The Director Primary Education Department, Government of Bihar, Patna.
- 3. The Director Institute of Research and Training Council, Bihar, Patna.
- 4. The District Education Officer, Government of Bihar, Patna.
- 5. 5. The District Programme Officer (Establishment), Purnea.
- 6. The Block Education Officer, Rupauli, District- Purnea.
- 7. The Member Secretary-cum-Panchayat Secretary Employment Unit Gram
Panchayat Raj- Kanp, Block- Rupauli, District- Purnea.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 11438 of 2024

Amit Kumar S/o Sri Karm Lal Yadav R/o- Village and P.O.- Manikpur, P.S.-
Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

- 1. The State of Bihar Through Additional Chief Secretary, Education
Department, Bihar, Patna.
- 2. The Director Primary Education, Education Department, Bihar, Patna.
- 3. The District Magistrate, Madhepura.
- 4. The District Education Officer, Madhepura.
- 5. The District Program Officer (Establishment), Madhepra.



6. The Block Education Officer, Madhepura.
7. The Panchayat Secretary, Panchayat Education Employment Unit Manikpur, District- Madhepura.
8. The Headmaster Primary School Araraha, Yadav Tola, Ward No. 12, Madhepura.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 11785 of 2024

Kumari Rina Kumari W/o Late Sanjay Kumar Yadav, Vill- Gajdhara, P.S-
Durgawati, Distt.- Kaimur. (Bhabhua), Bihar, 821105

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Secretary Education Deptt., Government of Bihar. Patna.
3. The Director Secondary Education Board, Government of Bihar, Patna.
4. The District Board, Rohtas at Sasaram through its Chairman.
5. The District Magistrate, Rohtas at Sasaram
6. The Deputy Development Commissioner-Cum-Chief Executive Officer District Board, Rohtas at Sasaram.
7. The District Education Officer, Rohtas at Sasaram.
8. The District Programme Officer (R.M.S.A), Rohtas at Sasaram
9. The District Programme Officer (ESTB), Rohtas at Sasaram
10. The Controller , Bihar School Examination Board, Patna.
11. The Head Master/Principal, Sarvodya SS (plus 2) High School, Sarraiya, Rohtas, Block Chenari

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 10222 of 2022)

For the Petitioner/s : Ms. Veena Kumari Jaiswal, Advocate
Mr. Upendra Pd, Advocate
For the Respondent/s : Mr. Advocate General
Mr. Jitendra Kr. Roy 1 (Sc13)

(In Civil Writ Jurisdiction Case No. 8423 of 2022)

For the Petitioner/s : Mr. Durgesh Kumar, Advocate
For the Respondent/s : Mr. Prabhakar Jha (Gp 27)

(In Civil Writ Jurisdiction Case No. 8446 of 2022)

For the Petitioner/s : Mr. Ranjan Kumar Srivastava, Advocate
For the Respondent/s : Smt. Binita Singh (Sc 28)
For the BEPC : Mr. Girish Kumar, Advocate

(In Civil Writ Jurisdiction Case No. 10277 of 2022)

For the Petitioner/s : Mr.Rama Kant Singh
For the Respondent/s : Mr.Madhaw Prasad Yadaw (Gp 23)



(In Civil Writ Jurisdiction Case No. 10613 of 2022)

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Respondent/s : Mr. Madhaw Pd. Yadaw (Gp23)

(In Civil Writ Jurisdiction Case No. 10838 of 2022)

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Smt. Shilpa Singh (Ga12)
Mr. Ram Vinay Pd. Singh, AC to GA- 12
Ms. Abhanjalli, Advocate

(In Civil Writ Jurisdiction Case No. 10870 of 2022)

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (Sc16)
Mr. Madhukar Mishra, AC to SC- 16

(In Civil Writ Jurisdiction Case No. 11763 of 2022)

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (Sc 16)
Mr. Madhukar Mishra, AC to SC- 16

(In Civil Writ Jurisdiction Case No. 11813 of 2022)

For the Petitioner/s : Mr. Suman Kumar, Advocate
For the Respondent/s : Mr. Kameshwar Kumar (Gp17)

(In Civil Writ Jurisdiction Case No. 12237 of 2022)

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Respondent/s : Mr. Prabhakar Jha (Gp27)

(In Civil Writ Jurisdiction Case No. 12389 of 2022)

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Kameshwar Kumar (Gp17)

(In Civil Writ Jurisdiction Case No. 12485 of 2022)

For the Petitioner/s : Md. Ataul Haque, Advocate
For the Respondent/s : Mr. Kameshwar Kumar (Gp17)

(In Civil Writ Jurisdiction Case No. 13052 of 2022)

For the Petitioner/s : Mr. Amish Kumar, Advocate
Mr. Krishna Chandra Jha, Advocate
For the Respondent/s : Mrs. Binita Singh (Sc28)

(In Civil Writ Jurisdiction Case No. 13805 of 2022)

For the Petitioner/s : Mr. Satyam Shivam Sundaram, Advocate
For the Respondent/s : Smt. Binita Singh (Sc28)

(In Civil Writ Jurisdiction Case No. 14066 of 2022)

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Smt. Shilpa Singh (Ga12)
Mr. Ram Vinay Pd Singh, AC to GA- 12
Ms. Abhanjalli, Advocate

(In Civil Writ Jurisdiction Case No. 18335 of 2022)

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Advocate
Mr. Abhishek Kumar, Advocate
For the Respondent/s : Mr. Madanjeet Kumar (Gp20)

(In Civil Writ Jurisdiction Case No. 3618 of 2023)

For the Petitioner/s : Mr. Shambhu Sharan Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (Sc16)
Mr. Madhukar Mishra, AC to SC- 16

(In Civil Writ Jurisdiction Case No. 3916 of 2023)

For the Petitioner/s : Mr. Dinesh Jha, Advocate
For the Respondent/s : Mr. Madhaw Prasad Yadaw (Gp 23)
Mr. Sanjay Kumar, AC to GP- 23

(In Civil Writ Jurisdiction Case No. 4210 of 2023)

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Respondent/s : Mr. Prabhakar Jha (Gp 27)
Mr. Shankar Kr. Thakur, AC to GP- 27

(In Civil Writ Jurisdiction Case No. 6818 of 2023)



For the Petitioner/s : Mr. Rajesh Kumar Pandey
For the Respondent/s : Mr. Madanjeet Kumar (Gp20)
(In Civil Writ Jurisdiction Case No. 7915 of 2023)
For the Petitioner/s : Mr. Om Prakash Prasad, Advocate
For the Respondent/s : Smt. Binita Singh (Sc28)
(In Civil Writ Jurisdiction Case No. 11735 of 2023)
For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate
For the Respondent/s : Mr. Madanjeet Kumar (Gp20)
(In Civil Writ Jurisdiction Case No. 12830 of 2023)
For the Petitioner/s : Mr. Rajeev Kumar Singh, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (Sc16)
Mr. Madhukar Mishra, AC to SC- 16
(In Civil Writ Jurisdiction Case No. 12838 of 2023)
For the Petitioner/s : Mr. Prabhakar Singh, Advocate
For the Respondent/s : Smt. Binita Singh (Sc 28)
(In Civil Writ Jurisdiction Case No. 1943 of 2024)
For the Petitioner/s : Mr. Gajendra Kumar, Adv
For the Respondent/s : Mr. Government Pleader (2)
(In Civil Writ Jurisdiction Case No. 3394 of 2024)
For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s : Mr. Advocate General
Mr. Standing Counsel 26
Mr. Tripharasi, AC to SC- 26
(In Civil Writ Jurisdiction Case No. 3550 of 2024)
For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Respondent/s : Mr. Standing Counsel 7
(In Civil Writ Jurisdiction Case No. 4325 of 2024)
For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Standing Counsel 26
Mr. Tripurari Nath, AC to SC- 26
(In Civil Writ Jurisdiction Case No. 6489 of 2024)
For the Petitioner/s : Ms. Guriya Nisha, Advocate
For the Respondent/s : Mr. Additional Advocate General (7)
(In Civil Writ Jurisdiction Case No. 7458 of 2024)
For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Md. Mujabaul Haque, GP- 12
Mr. Pranoy Kumar, AC to GP- 12
(In Civil Writ Jurisdiction Case No. 7494 of 2024)
For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate
For the Respondent/s : Mr. Standing Counsel (22)
(In Civil Writ Jurisdiction Case No. 8039 of 2024)
For the Petitioner/s : Mr. Gyanand Roy, Advocate
For the Respondent/s : Mr. Standing Counsel 04
(In Civil Writ Jurisdiction Case No. 11438 of 2024)
For the Petitioner/s : Mr. Prabhakar Singh, Advocate
For the Respondent/s : Mr. Raghwendra, SC- 22
(In Civil Writ Jurisdiction Case No. 11785 of 2024)
For the Petitioner/s : Mr. Prakash Tiwari, Advocate
For the Respondent/s : Mr. Government Advocate (3)
Mr. Shiv Kumar, AC to GA- 3
For the B.S.E.B. : Ms. Surya Nilambari, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 13-08-2024

Heard learned counsel for the petitioners and learned



Advocate General for the State.

2. The petitioners who are Panchayat Teachers/ Block Teachers have filed these writ petitions under the following circumstances:

Reg.: CWJC No. 10222 of 2022

2.1. The petitioner was appointed as Niyojit Panchayat Shikshika in Prathmik Vidyalaya, Chakia, Mushahri, Amni, Dist. Khagaria in the year 2006. The petitioner states that she continued to work as Niyojit Teacher in the aforesaid school and has filed this writ petition seeking a direction to the respondent authorities to pay the current salary as well as arrear of salary from the month of June, 2020 onwards.

Reg.: CWJC No. 8423 of 2022

2.2 The petitioner, who is a Panchayat teacher at Primary School, Bajrang Nagar Pabher Dhanarua, District Patna, appointed on 14.08.2010, has filed this writ petition seeking payment of increased salary of the petitioner as Panchayat teacher on and from 22.11.2016.

Reg.: CWJC No. 8446 of 2022

2.3. The petitioner, who is a Panchayat Teacher at Rajkiya Prathamik Vidyalaya Urdu, Rudalpur, Block- Jalalpur, Dist. Saran at Chapra has filed this writ petition seeking a



direction to the respondent authorities for payment of arrear of salary from 2018 as well as the current salary.

Reg.: CWJC No. 10613 of 2022

2.4. The petitioner, who is a Panchayat teacher at Government Middle School, Gonauli, Block- Lauriya, Dist. West Champaran, has filed this writ petition seeking a direction to the respondent authorities for payment of salary from June, 2022.

Reg.: CWJC No. 10838 of 2022

2.5. The petitioners, are three in numbers. Petitioner No. 1 is a Panchayat Teacher at Gram Panchayat, Sahuriya Block Banma Ithari, Dist. Saharsa vide appointment letter as contained in memo no. 8 dated 18.06.2018 by Panchayat Secretary of the Employment Committee. Petitioner Nos. 2 and 3 are Assistant teacher in untrained pay-scale in terms of appointment letter as contained in memo No. 13 dated 18.06.2018 and memo No. 11 dated 18.06.2018 respectively, issued by Panchayat Secretary of the Employment Secretary. The petitioner Nos. 2 and 3 are working at Primary School, Dhadia, Anchal Banma Ithari, Dist. Saharsha and Primary School, Rampokhar, Anchal Banma Itahri, Dist. Saharsa respectively. The petitioners have filed this writ petition for a



direction to the respondent authorities to pay the salary of the petitioners with all consequential benefits attached to the post.

Reg.: CWJC No. 10870 of 2022

2.6. The petitioners, altogether 16 in number who are Panchayat teachers working at different schools as set out in paragraph No. 4 of the writ petition, have filed this writ petition seeking a direction to the respondent authorities for payment of their salary from June, 2018 onwards.

Reg.: CWJC No. 11813 of 2022

2.7. The petitioners, altogether 7 in numbers who are Panchayat teachers working in different schools as mentioned in Paragraph No. 4 to 10 of the writ petition have filed this writ petition for payment of salary by the respondent authorities.

Reg.: CWJC No. 13805 of 2022

2.8. The petitioner, who is a Panchayat teacher working at Upgraded Middle School, Sonbarsa, Barauli, Dist. Gopalganj has filed this writ petition for payment of salary by the respondent authorities. The learned counsel for the petitioner has submitted that the petitioner has now become a regular Assistant teacher. The fact that the petitioner has become an Assistant teacher at subsequent point of time is not on record. However, the grievance raised by petitioner in the instant writ



petition is for payment of salary, while the petitioner was a Panchayat teacher.

Reg.: CWJC No. 14066 of 2022

2.9. The petitioners, altogether 10 in numbers, stated to be Panchayat and Block teachers have filed this writ petition for payment of salary from November, 2019.

Reg.: CWJC No. 18335 of 2022

2.10. The petitioner, who is a Panchayat Teacher since 12.07.2014 at the new Primary School, Rasulpur, Bind Toli, Hussainganj, Siwan has filed this writ petition for payment of salary from the date of his appointment i.e., on 12.07.2014.

Reg.: CWJC No. 3618 of 2023

2.11. The petitioners, altogether 8 in numbers who are Panchayat Teachers have filed this writ petition for payment of salary since their joining on 16.08.2010.

Reg.: CWJC . No. 3916 of 2023

2.12. The petitioner, who is a Panchayat Teacher at Primary School, Baligarh (Harijan), P.S.- Runnisaidpur, District – Sitamarhi has filed this writ petition for payment of salary from 08.03.2022.

Reg.: CWJC No. 4210 of 2023

2.13. The petitioner who claims to be a Block Teacher



in Middle School, Ismailpur under Jehanabad Block vide Letter No. 337 dated 20.07.2007 has filed this writ petition challenging the suspension of the petitioner vide Memo No. 19 dated 07.12.2017.

Reg.: CWJC No. 6818 of 2023

2.14. The petitioner who is a Panchayat Teacher, Primary New Vidyalaya, Maraghiya West Tola, Gram Panchayat Raj, West Barinagar, District-Katihar has filed this writ petition for payment of salary of the petitioner from November 2009 to January 2010 and from October 2020 onwards.

Reg.: CWJC No. 7915 of 2023

2.15. The petitioner, who was a Panchayat Teacher at Primary School, Gulla Bigha and resigned on 06.08.2021 has filed this writ petition for payment of salary from November 2019 to 06.08.2021.

Reg.: CWJC No. 11735 of 2023

2.16. The petitioner who is a Panchayat Teacher at Navsrijit Prathmik Vidyalaya, Laxmi Bigha, Kako (Jehanabad) has filed this writ petition challenging the order dated 09.09.2021 issued by the District Education Officer, Jehanabad withholding the salary of the petitioner.



Reg.: CWJC No. 12830 of 2023

2.17. The petitioner who is a Panchayat Teacher at Primary School Lodipur, Yadav Tola, Block-Sheikhpura, District – Sheikhpura has filed this writ petition seeking a direction to the respondent to pay the salary of the petitioner for the month of April 2022 to June 2022 and from April 2023 onwards.

Reg.: CWJC No. 12838 of 2023

2.18. The petitioners, though in the writ petition have not stated in the writ petition that in which school they are working, but according to the learned counsel for the petitioners, petitioners are Panchayat Teachers working at different schools vide Annexure-1, have filed this writ petition challenging the order dated 12.03.2022 passed by the respondent No. 4/the District Programme Officer (Establishment)-cum- Nodal Officer, Vigilance Cell, Gopalganj vide Memo No. 834, whereby the representation of the petitioners for payment of salary of the petitioners for the month December 2019 to 15th October 2021 in terms of the order dated 27.09.2021 passed by this Court in C.W.J.C. No. 5125 of 2020, has been rejected.

Learned counsel for the petitioners have contended



that the respondent authorities have violated the order dated 27.09.2021, passed in C.W.J.C. No. 5125 of 2020.

On perusal of the order dated 27.09.2021, passed by this Court in C.W.J.C. No. 5125 of 2020, it appears that the petitioners were granted liberty to file their representation before the competent authority for payment of salary for the period during which they were not allowed to discharge their duties and on such representation being filed by the petitioners, the respondent authorities were directed to take a decision on the representation filed by the petitioners.

It was in pursuance of the direction of this Court passed in CWJC No. 5125 of 2020 that the petitioner have been denied their salary. The petitioners have now approached this Court again by filing the present writ petition.

Reg.: CWJC No. 1943 of 2024

2.19. The petitioners, who are panchayat teachers working at Primary School, Munipur, have filed this writ petition seeking a direction to the respondent nos. 4 and 5 to release salary of the petitioner no.1 since December 2019 and in the case of petitioner no.2 since July 2020.

Reg.: CWJC No. 3394 of 2024

2.20. The petitioners who claims to be panchyat



teachers working in different schools under Gram Panchayat Raj Darmaha, Kalyanpur District- East Champaran, have filed this writ petition for payment of arrears of salary from October, 2018 as well as current salary of petitioners in the light of direction contained in Memo No. 318 dated 21.03.2023 issued by the Education Department.

Reg.: CWJC No. 3550 of 2024

2.21. The petitioner who claims to be a Panchayat Teacher since July 2006 and has filed this writ petition seeking direction to the respondents for payment of salary of the petitioner from the month of September, 2016 to the month of June, 2018 and also for payment of subsistence allowance from 19.11.2016 to 31.12.2017.

Reg.: CWJC No. 4325 of 2024

2.22. The petitioners are Panchayat Teachers who have filed this writ petition for payment of salary from August, 2020.

Reg.: CWJC No. 6489 of 2024

2.23. The petitioner is a Panchayat Teacher who has filed this writ petition for payment of salary from 2006.

Reg.: CWJC No. 7458 of 2024

2.24. The petitioners, who are Block Teachers have



approached this Court by filing this writ petition seeking a direction to the respondents for payment of their salary since 03.08.2015.

Reg.: CWJC No. 7494 of 2024

2.25. The petitioner is a Panchayat Teacher who has filed this writ petition seeking a direction to the respondents for payment of salary from November, 2020.

Reg. C.W.J.C. No. 8039 of 2024

2.26. The petitioner claiming to be appointed as Panchayat Teacher by letter No. 12 dated 20.10.2014 issued under the joint signature of the Mukhiya-cum-Chairman, Panchayat Employment Unit Gram Panchayat Raj-Kanp, Block-Rupauli, District- Purnea as well as the Panchayat Secretary-cum-Member Secretary, Gram Panchayat Raj-Kanp, Block-Rupauli, District- Purnea as well the Block Education officer, Block- Rupauli, District- Purnea has filed this writ petition seeking a direction to the respondents to allow her to discharge duty as Panchayat Teacher and also for regularization of period of absence of the petitioner for the period 11.10.2022 to 05.02.2024 as well as for payment of arrear and current salary.

The petitioner has also filed an interlocutory application being I. A. No. 01 of 2024 in which the Memo No.



53 dated 05.07.2024 issued by the Panchayat Secretary-cum-Member Secretary, Gram Panchayat Raj-Kanp, Block- Rupauli, District- Purnea, whereby the petitioner has been removed from service and also a direction has been issued to the petitioner to deposit the amount she has received as salary from the date of her engagement till her removal from service, has been put under challenge.

Reg.: CWJC No. 11438 of 2024

2.27. The petitioner, who claims to be a Block Teacher has filed this writ petition challenging the order dated 08.09.2023 issued by the District Education Officer, Madhepura whereby it has been held that after the adjustment of the petitioner's service in Primary School, Ararha Yadav Tola, Madhepura, the petitioner has not jointed the service and, therefore, the petitioner is not entitled to his salary. The petitioner's contention is that he had in fact joined the service and has also withdrawn salary from July, 2015 to May, 2016.

Reg.: CWJC No. 11785 of 2024

2.28. The petitioner who claims to be appointed as Hindi Teacher in Sarvodaya High School, Sarraiya, Chenari, Rohtas on compassionate ground vide letter No. 83 dated 12.03.2020 issued by the Deputy Commissioner-cum-Chief



Executive officer District Board, Rohtas at Sasaram has filed this writ petition for payment of petitioner's salary from 17.03.2020.

Reg.: CWJC No. 10277 of 2022

2.29. The petitioner who is a Panchayat Teacher at Primary School, Makhraur, under Gram Panchayat Nima in the Prakhanda of Dobhi, District Gaya has filed this writ petition for payment of petitioner's salary from December, 2019.

Reg.: CWJC 12389 of 2022

2.30. The petitioner, who claims to be working as Panchayat Teacher at N.P.S., Sidharth Ke Bari, Block – Hathua within the district of Gopalganj since 17.03.2022, has filed this writ petition for payment of her salary from March, 2022.

Reg: CWJC No. 12485 of 2022

2.31. The petitioner, who claims to be Block Teacher (Physical Teacher) at Middle School, Bharkuria (North) in the Block Dalmia Nagar, District Rohtas since 20.08.2010, has filed this writ petition challenging Memo No. L-1378 dated 29.04.2022 issued under the signature of District Programme Officer (Establishment), Rohtas at Sasaram (Respondent No. 4), whereby the petitioner's salary has been stopped.

Reg: CWJC No. 13052 of 2022



2.32. The petitioner, who claims to be a Panchayat Teacher appointed on 23.07.2015 in Basic Grade Untrained in Primary School, Bhimri, Harijan Tola, Gram Panchayat Raj Paikant, Block – Gogri, District Khagaria, has filed this writ petition challenging Memo No. 14 dated 04.06.2021 issued by Respondent No. 8 / The Panchayat Secretary-cum-Member Secretary, Gram Panchayat Raj Paikant, Block – Gogri, District Khagaria, whereby he has been terminated from the service.

Reg.: CWJC No. 11763 of 2022

2.33. The petitioner, who is claiming to be a District Board Secondary teacher vide letter no. 12/257 dated 02.08.2013 by the respondent no.4 – the D.D.C.-cum-Chief Executive Officer-cum-Secretary, Zila Parisad, (District Board), Samastipur, has filed this writ petition for payment of arrears of salary of the petitioner for the period August 2018 to November 2019. The petitioner, thus, is a teacher appointed and working under the local bodies.

Reg.: CWJC No. 12237 of 2022

2.34. The petitioner, who claims to be selected for appointment as Niyojit teacher for Nav. Prathmic Vidyalay Tapara Tola by Memo No. 04 dated 23.02.2022 issued by the Secretary-cum-Panchayat Sachiv Panchayat Shikshak Niyojan



Ikai, Shekhpura and joined school by submitting his joining letter dated 25.02.2022, has filed this writ petition for payment of regular salary.

3. Learned Advocate General has submitted that the petitioners in these batch of writ petitions have a remedy provided under **the Bihar State Teaching Institutions Teachers and Employees (Dispute Redressal and Appeal) Rules, 2020** (hereinafter referred to as "Rules 2020"), wherein the petitioners can approach the concerned District Appellate Authority constituted at the District level for redressal of their grievances. The State appellate authority has also been constituted at the State level to hear the appeal preferred against the orders passed by the District Appellate Authority.

3.1. The learned Advocate General, therefore, submits that the petitioners have an alternative remedy before the District Appellate Authority and accordingly these writ petitions should not be entertained and the matter can be remitted back to the concerned District Appellate Authority.

4. Learned counsel appearing in **CWJC No. 12838 of 2023** has submitted that denial of salary by the respondents is a violation of the petitioner's right to life under Article 21 of the Constitution of India and when the petitioner's fundamental right under Article 21 of the Constitution of India is violated the writ petition is maintainable notwithstanding the alternative remedy provided by the Rules/Statute.



4.1 In support of his contention, learned counsel for the petitioner has also relied on a decision rendered by the Hon'ble Supreme Court in the case of *Popcorn Entertainment v. City Industrial Development Corpn.*, reported in *(2007) 9 SCC 593*.

4.2. Learned counsel for the petitioner further submitted that the District Appellate Authorities are without the Presiding Officers. Learned counsel for the petitioner has also submitted that even the State Appellate Authority is also not functioning because of non appointment of the Presiding Officers. The contention of the petitioner that the District Appellate Authorities and the State Appellate Authority are without the Presiding Officers, is, however, not a part of the record of the writ petition.

5. Submissions advanced by the learned counsel for the contesting parties have received due consideration of this Court.

6. Before dealing with the contention raised by the learned counsel appearing in CWJC 12838 of 2023, the remedy provided under **the Bihar State Teaching Institutions Teachers and Employees (Dispute Redressal and Appeal) Rules, 2020** for redressal of the grievances of the teachers appointed and working under the local bodies may be examined.

7. The title of the Rules 2020 itself suggests that it is a



rule made to provide the dispute redressal mechanism for the State teaching institutions teachers and employees for which the Rule 2(iii) of the Rules 2020 seeks to constitute District Appellate Authority at the District level and State Appellate Authority at the State level.

8. Rule 2(xii) defines teachers as under:

(A) Teachers working under Panchayati Raj Institutions and Urban body Institutions in Govt./Nationalised Primary and Middle School, Secondary School, Senior Secondary Schools as per rules notified by the Govt. of Bihar from time to time.

(B) The teachers working under the Managing Committee of 108 Elementary Schools aided by the State Govt.(Including Minority Schools) in which education is being imparted upto standard 5th or 8th.

(C) Teachers working under the Managing Committee/Trust in Aided, permission for establishment, recognised Secondary and Senior Secondary Schools.

(D) Teachers of Private Schools.

9. The petitioners in these batch of writ petitions are either Panchayat Teachers/ Municipal Teachers/ Block Teachers, appointed and working under the local bodies. The petitioners, therefore, are teachers as defined under Rule 2(xii)(A) which says teacher means teachers working under Panchayati Raj Institutions and Urban body Institutions in Govt./Nationalised



Primary and Middle School, Secondary School, Senior Secondary Schools as per rules notified by the Govt. of Bihar from time to time.

10. Rule 13 of the Rules,2020 reads as under:

13. Powers and Function of the District Appellate Authority.—

(A)(i) To resolve the disputes and complains pertaining to procedure of recruitment under Panchayati Raj Institutions and Urban body Institutions in Govt./Nationalised Primary and Middle School, Secondary School, Senior Secondary Schools as per provisions/ rules notified by the Govt. of Bihar from time to time.

(ii) To resolve the disputes and complaints pertaining to recruitment of Headmaster/Teacher/Non-teaching staffs and promotion to the post of Headmaster by the Managing Committee of 108 Govt. Aided Elementary Schools (Including Minority Schools) in which the education is imparted upto 5th or 8th standard.

(iii) To resolve the disputes and complaints pertaining to process of recruitment and distribution of Grants-in-Aid with respect to Aided/ Permission for Establishment/Recognised Secondary and Senior Secondary Schools and Aided Colleges.

(iv) To resolve the disputes between the Headmaster/Teacher/ Non-teaching staffs and the Managing Committee of Private Schools.

(v) To resolve such disputes pertaining to Headmasters/Teachers/ Non-teaching Staffs working under Panchayati



Raj Institutions and Urban body Institutions in Govt./ Nationalised Primary and Middle School, Secondary School, Senior Secondary Schools, who in case of being aggrieved by execution of the service condition, as prescribed, may prefer Appeal against the decision of the competent authority / committee.

(vi) To resolve the disputes of execution of service condition of Headmasters/ Teachers/Non-teaching staffs of Govt. aided 108 Elementary Schools (Including Minority Schools) in which education is imparted upto standard 5th or 8th and in case of any appeal being preferred by the Headmaster/Teachers/Non-teaching staffs being aggrieved by the decision of the concerned Managing Committee.

(vii) To resolve the disputes pertaining to execution of service condition of Principal/Vice-Principal/ Assistant Principal/Headmaster/Teachers/ Non-teaching staffs of Aided, Permission for Establishment, Recognised Secondary/ Senior Secondary Schools and Aided Colleges and in case of any appeal being preferred by the concerned Principal/ Vice-Principal/ Assistant Principal / Headmaster/ Teacher/ Non-teaching staffs being aggrieved by the decision of the concerned Managing Committee.

(viii) The presiding officer of the Authority after making necessary verification and after hearing the parties shall pass the order to dispose of the disputes/ complaints.

(ix) The authority shall have jurisdiction to get the matter enquired into



by any officer of the Education Department of the district or any administrative officer.

(B) The office of the Appellate Authority shall duly maintain all the records of the complaints/ Appeals.

(C) All the Complaints/ Appeals shall be filed before the District Appellate Authority within 30 days from the date of cause of action. The Appellate Authority will have jurisdiction to condone the delay in preferring the Complaints/ Appeals after expiry of 30 days on the basis of reasonable grounds.

(D) The District Appellate Authority shall have the same powers for enquiry of any matter or hearing which has been vested in the Civil Court under Civil Procedure Code, 1908. While adjudicating any dispute the following powers shall be exercised:—

(i) To issue summons to ensure the presence of the persons and to compel them to produce evidence verbal or written through affidavit or to produce the documents/ record.

(ii) To search the record and to get the same inspected.

(iii) To tender evidence on Oath.

(iv) To issue summons to produce witnesses or record for inspection.

(E) The Appellate Authority shall ordinarily dispose of Complaint! Appeal within 90 days from the date of its receipt.

(F) The Authority shall exercise the functions and powers being entrusted by the Department from time to time.

11. Reading of the Rule 13 (A)(i) of the Rules, 2020



would go to show that the District Appellate Authority has the power to resolve the dispute and complains pertaining to procedure of recruitment under the Panchayati Raj Institutions and Urban body Institutions in Govt./Nationalised Primary and Middle School, Secondary School, Senior Secondary Schools as per rules notified by the Govt. of Bihar from time to time.

12. Under Rule 13(A)(v) of the Rules, 2020 the District Appellate Authority has the power to resolve disputes pertaining to, *inter alia*, teachers who are aggrieved by execution of the service condition by the Competent Authority/Committee.

13. A conjoint reading of Rule 13(A)(i) and 13(A)(v) of the Rules, 2020 would go to show that the District Appellate Authority has the power to adjudicate disputes pertaining to procedure of recruitment as well as the execution of the service condition by the Competent Authority/Committee of the Panchayati Raj Institutions and Urban body Institutions in Govt./Nationalised Primary and Middle School, Secondary School, Senior Secondary Schools as per rules notified by the Govt. of Bihar from time to time.

14. The District Appellate Authority thus is found to have the power and jurisdiction to resolve the disputes *inter alia*



of the teachers appointed and working under the local bodies with regard to the procedure of the recruitment itself as well as the execution of the service condition which encompasses any condition attached to the service condition of such employees including grievances regarding pay, appointment/non-appointment, promotion, disciplinary action etc.

15. In view of the above, it is found that the grievances raised by the petitioners in these batch of writ petition can very well be taken care of by the concerned District Appellate Authority in exercise of the power under Rule 13 of the Rules 2020.

16. Thus, the petitioners are found to have an statutory alternative remedy before the concerned District Appellate Authority under Rules 2020.

17. In addition thereto it is significant to note Rule 13(D), 13(E), 16 and 14(C) of the Rules 2020 which reads as under:

13 (D) *The District Appellate Authority shall have the same powers for enquiry of any matter or hearing which has been vested in the Civil Court under Civil Procedure Code, 1908. While adjudicating any dispute the following powers shall be exercised:—*

(i) To issue summons to ensure the presence of the persons and to compel them to produce evidence verbal or written



through affidavit or to produce the documents/ record.

(ii) To search the record and to get the same inspected.

(iii) To tender evidence on Oath.

(iv) To issue summons to produce witnesses or record for inspection.

13(E) *The Appellate Authority shall ordinarily dispose of Complaint! Appeal within 90 days from the date of its receipt.*

Rule 16:. *Power to impose Punishment.-In case of non-compliance or the order/ direction or in case of any complaints by the party for compliance of the order:—*

(i) The Appellate Authority shall impose punishment against concerned party but he will be given adequate opportunity of hearing before imposing punishment.

(ii) The Appellate Authority may impose penalty upto Rs.50,000/- (Fifty thousand only) upon the answerable party.

The amount of penalty shall be deposited in the Treasury under the head indicated by the Department. The amount of penalty shall be recoverable by way of Public demand.

(iii) The Appellate Authority shall have jurisdiction to make recommendation to the concerned Department to initiate Departmental proceeding or to take necessary action against the delinquent employee under the provisions of Bihar Service Code/Bihar Panchayat Raj Act, 2006/ Bihar Municipal Act, 2007 and other relevant provisions.

Rule 14(C): *The Authority shall hear the appeal against the decision of District*



Appellate Authority.

18. Rule 13(D) provides that the District Appellate Authority shall have the same powers for enquiry of any matter or hearing which has been vested in the Civil Court under Civil Procedure Code, 1908. While adjudicating any dispute, the District Appellate Authority is empowered to exercise power to issue summons to ensure the presence of the persons and to compel them to produce evidence verbal or written through affidavit or to produce the documents /record; to search the record and to get the same inspected; to tender evidence on oath and to issue summons to produce witnesses or record for inspection.

19. Rule 13(E) mandates that the Appellate Authority shall ordinarily dispose of the complaints/appeal within 90 days from the date of its receipt.

20. Under Rule 16 the District Appellate Authority has the power to impose punishment in case of non compliance of the order and direction passed by it, such as the Appellate Authority is empowered to impose punishment against the concerned party after giving an adequate opportunity of hearing; may impose penalty upto Rs. 50,000/- upon the answerable



party and it has also the jurisdiction to make recommendation to the concerned department to initiate departmental proceeding to take necessary action against the delinquent employee under the provisions of Bihar Service Code/Bihar Panchayat Raj Act, 2006/ Bihar Municipal Act, 2007 and other relevant provisions.

21. Under Rule 14(C) the State Appellate Authority constituted at the State level has the power and jurisdiction, *inter alia*, to hear the appeal preferred against the decision of the District Appellate Authority.

22. Thus, from the conjoint reading of Rule 13(A)(i), 13(A)(v), 13(D), 13(E), 14(C) and 16 of the Rules 2020, I find that the petitioners herein who are teachers appointed and working under the local bodies have not only a statutory alternative remedy before the District Appellate Authority and thereafter to the State Appellate Authority for redressal of their grievances but they have the efficacious statutory alternative remedy available to them before the District Appellate Authority which Authority has been mandated to ordinarily dispose of the complaints/appeal within 90 days from the date of its receipt and in case of non compliance of the order or direction passed by it, to impose punishment for such non compliance.

23. With regard to the contention raised by the learned



counsel appearing in CWJC No. 12838 of 2023 there is no dispute with the proposition of law laid down by the Hon'ble Supreme Court in the case of *Popcorn Entertainment v. City Industrial Development Corpn.*, (**supra**) by relying on the earlier decision of the Hon'ble Supreme Court in the case of *Whirlpool Corpn. v. Registrar of Trade Marks*, reported in **(1998) 8 SCC 1** that the writ petition under Article 226 of the Constitution of India will be maintainable notwithstanding the alternative remedy available, if the action of the Authority is without jurisdiction; is in violation of the principles of natural justice or is in violation of the fundamental rights granted under Part-III of the Constitution of India.

24. It needs to be reiterated that in a case of established violation of the fundamental rights, the writ petition under Article 226 would undoubtedly be maintainable. But it is not so in the instant case. The petitioners in these batch of writ petitions, have not approached this Court for enforcement of their established fundamental rights. The petitioners on the other hand have filed these writ petitions to establish their right to the salary for which they have laid their claim on.

25. The existence of alternative remedy though does not effect the jurisdiction of the Court to issue



writ/direction/order under Article 226 of the Constitution of India but ordinarily that would be a good ground in refusing to exercise the discretion under Article 226 of the Constitution of India. The remedy under Article 226 of the Constitution of India being, in general, discretionary, the High Court may refuse to grant it where there exists an alternative remedy, equally efficient and adequate.

26. The Hon'ble Supreme Court in the case of ***CCE v. Dunlop India Ltd.***, reported in ***(1985) 1 SCC 260*** in paragraph 3 thereof it has been held as under:

3. *In Titaghur Paper Mills Co. Ltd. v. State of Orissa [(1983) 2 SCC 433 : 1983 SCC (Tax) 131 : 1983 Tax LR 2905 : (1983) 142 ITR 663 : (1983) 53 STC 315] A.P. Sen, E.S. Venkataramiah and R.B. Misra, JJ. held that where the statute itself provided the petitioners with an efficacious alternative remedy by way of an appeal to the Prescribed Authority, a second appeal to the tribunal and thereafter to have the case stated to the High Court, it was not for the High Court to exercise its extraordinary jurisdiction under Article 226 of the Constitution ignoring as it were, the complete statutory machinery. That it has become necessary, even now, for us to repeat this admonition is indeed a matter of tragic concern to us. Article 226 is not meant to short-circuit or circumvent statutory procedures. It is only where statutory remedies are entirely ill-suited to meet the demands of extraordinary situations, as for instance where the very vires of the statute is in question or where private or public wrongs are so*



inextricably mixed up and the prevention of public injury and the vindication of public justice require it that recourse may be had to Article 226 of the Constitution. But then the Court must have good and sufficient reason to bypass the alternative remedy provided by statute. Surely matters involving the revenue where statutory remedies are available are not such matters. We can also take judicial notice of the fact that the vast majority of the petitions under Article 226 of the Constitution are filed solely for the purpose of obtaining interim orders and thereafter prolong the proceedings by one device or the other. The practice certainly needs to be strongly discouraged.

27. In the case of ***United Bank of India v. Satyawati Tondon***, reported in ***(2010) 8 SCC 110*** the Hon'ble Supreme Court in paragraph 43, 44 and 45 has held as under:

43. *Unfortunately, the High Court overlooked the settled law that the High Court will ordinarily not entertain a petition under Article 226 of the Constitution if an effective remedy is available to the aggrieved person and that this rule applies with greater rigour in matters involving recovery of taxes, cess, fees, other types of public money and the dues of banks and other financial institutions. In our view, while dealing with the petitions involving challenge to the action taken for recovery of the public dues, etc. the High Court must keep in mind that the legislations enacted by Parliament and State Legislatures for recovery of such dues are a code unto themselves*



inasmuch as they not only contain comprehensive procedure for recovery of the dues but also envisage constitution of quasi-judicial bodies for redressal of the grievance of any aggrieved person. Therefore, in all such cases, the High Court must insist that before availing rlt is true that the rule of exhaustion of alternative remedy is a rule of discretion and not one of compulsion, but it is difficult to fathom any reason why the High Court should entertain a petition filed under Article 226 of the Constitution and pass interim order ignoring the fact that the petitioner can avail effective alternative remedy by filing application, appeal, revision, etc. and the particular legislation contains a detailed mechanism for redressal of his grievance. emedy under Article 226 of the Constitution, a person must exhaust the remedies available under the relevant statute.

44. While expressing the aforesaid view, we are conscious that the powers conferred upon the High Court under Article 226 of the Constitution to issue to any person or authority, including in appropriate cases, any Government, directions, orders or writs including the five prerogative writs for the enforcement of any of the rights conferred by Part III or for any other purpose are very wide and there is no express limitation on exercise of that power but, at the same time, we cannot be oblivious of the rules of self-imposed restraint evolved by this Court, which every High Court is bound to keep in view while exercising power under Article 226 of the Constitution.

45. It is true that the rule of exhaustion of alternative remedy is a rule of discretion and not one of compulsion, but it is difficult to fathom any reason



why the High Court should entertain a petition filed under Article 226 of the Constitution and pass interim order ignoring the fact that the petitioner can avail effective alternative remedy by filing application, appeal, revision, etc. and the particular legislation contains a detailed mechanism for redressal of his grievance.

28. In the case of **General Manager, Sri Siddeshwara Cooperative Bank Ltd. v. Ikbai**, reported in (2013) 10 SCC 83 the Hon'ble Supreme Court in paragraph 27 it has been held as under:

27. *No doubt an alternative remedy is not an absolute bar to the exercise of extraordinary jurisdiction under Article 226 but by now it is well settled that where a statute provides efficacious and adequate remedy, the High Court will do well in not entertaining a petition under Article 226. On misplaced considerations, statutory procedures cannot be allowed to be circumvented.*

29. For the reasons and discussions made hereinabove, since the petitioners are found to have a statutory alternative and efficacious remedy under **the Bihar State Teaching Institutions Teachers and Employees (Dispute Redressal and Appeal) Rules, 2020**, I am not inclined to exercise the discretionary power vested under Article 226 of the Constitution of India. Accordingly these batch of writ petitions shall stand disposed of



with liberty granted to the petitioners to approach the concerned district authority, if so advised.

30. These writ petitions are disposed of with the above directions.

(Nani Tagia, J)

Nishant/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.08.2024.
Transmission Date	NA

