

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18141 of 2021

1. Md. Sadique Amin, Son of Md. Bahauddin, Resident of Majhiya Wakil Tola, Kishanganj Bazar, P.S. and District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Juljuli, Kishanganj.
2. Arun Kumar Yadav, Son of Late Munshi Lal Yadav, Resident of Majgama Ward No. 11, P.S. (Thana) - Angour that Majhgaon, District - Purnea. At present posted as Primary Teacher at Middle School, Mohanmari, Kochadhaman, Kishanganj.
3. Md. Masoom Reza, Son of Md. Nayeem Akhtar, Resident of Ward No. 1 Tengramari, Tengermari, P.O. - Belwa Tengramari, Kishanganj, P.S. Kishanganj, District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Tarabari, P.S. and District - Kishanganj.
4. Subrat Das, Son of Dharmeshwar Prasad Das, Resident of Ward No. 17 Line Para, Kishanganj, P.S. and District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Fulbari, Kishanganj.
5. Anil Kumar, Son of Indra Prasad Sinha, Resident of Village - Bairia, P.S. - Fathepur Bairia, District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Tarabari, Block and District - Kishanganj.
6. Abdul Khalique, Son of Md. Zahiruddin, Resident of Kanhaiyabari, Dhanpura, Kishanganj, P.S. and District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Moujabari, Kochadhaman, Kishanganj.
7. Romi Das, Daughter of Kishan Lal Das, Resident of Ward No. 6, Near Jagarnath School, Kaserapatti, Road, Kishanganj, P.S. and District Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Dilawarganj, Pothia, Kishanganj.
8. Shyamal Basak, Son of Bhim Chandra Basak Resident of Ward No. 30, Dumaria near Durga Mandir, Rampur, Kishanganj, P.S. - Bahadurganj, District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Masjidgarh, Kochadhaman, Kishanganj.
9. Md. Izhar Alam, Son of Md. Nizamuddin, Resident of College Chowk Imamnagar, Palasmani, Kishanganj, P.S. Bahadurganj, District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Bhatabari, Bahadurganj, Kishanganj.
10. Kundan Prasad Basak @ Kundan Basak, Son of Laxmi Narayan Prasad Basak, Resident of Tanti Basti Choupal Tola, Ward No. 6, Kishanganj Bazar Dighal Bank, P.S. and District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Vivekanand Nagar, Kishanganj.
11. Saroj Kumar, Son of Lakhan Paswan, Resident of Old Station Road, Missionpara, Islampur, District Uttar Dinajpur, West Bengal. At present posted as Primary Teacher at Upgraded Middle School, Fakirbasti Kishanganj, Maulanapara, Pothia, District - Kishanganj.
12. Manish Raj, Son of Suraj Lal Saha, Resident of Ward No. 27, Near Manoranjan Club Dharamshala Road, Kishanganj, P.S. and District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle



School, Perlabari, Pothia, Kishanganj.

13. Avanish Kumar, Son of Ram Khelawan Das, Resident of Ruidhasa Bhatia Basti, Rampur, P.S. and District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Vivekanand Nagar, Kishanganj.
14. Md. Abu Farman, Son of Late Md. Mohiuddin, Resident of Village - Daula, P.O. - Manora, P.S. and District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Babhanbasti Pothia, Kishanganj.
15. Kumar Awadhesh, Son of Ram Khelawan Das, Resident of Halim Chowk Khagra, Ward No. 21, Kishanganj P.S. and District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Jagannath, Kishanganj.
16. Deepak Kumar Jha, Son of Medha Nath Jha, Resident of Ruidhasa South, Ward No. 24, Near Pani Tanki, P.O. and P.S. and District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Amaljhari, Kishanganj.
17. Rajeshwar Kumar Mandal, Son of Ram Krishna Mandal, Resident of Jhiljhili, Kishanganj, Bahadurganj, District - Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Dhahgawn Basbari Block Bahadurganj, Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Kishanganj.
5. The District Education Officer, Kishanganj.
6. The District Programme Officer (Establishment), Kishanganj.
7. The District Account Officer, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Amarendra Narayan Mr.Abdul Wadood Mr.Bijay Kumar Pandey
For the Respondent/s	:	Mr.Prabhakar Jha (Gp27) Mr.Madhaw Prasad Yadaw, G.P. 23

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-04-2024 Heard learned counsel for the petitioners and learned



counsel for the State.

2. Learned counsel for the petitioners submits that the petitioners' case is squarely covered by the order passed in C.W.J.C. No.6139 of 2007 dated 31.03.2011 and L.P.A. No.756 of 2015 dated 16.08.2017.

3. Considering this fact, the petitioners are directed to file a detailed representation along with a copy of the order passed in the above-mentioned cases, before the respondent no.3 within a period of three weeks from today and the respondent no.3 is well advised to pass a reasoned and speaking order, after affording the opportunity of hearing to the petitioner or his counsel, within a further period of eight weeks. The admitted dues/benefits, for which the petitioners are entitled for, may also be made to them.

4. The memo no.473 dated 22.05.2020 issued by the District Education Officer, Kishanganj, as contained in Annexure-20 is hereby set aside.

5. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioners and it is also made clear that if a reasoned order is not passed within the stipulated time, the respondent no.3 shall be held liable for non-compliance of the order of this Court.



6. With the aforesaid observations and directions, this writ application is disposed of.

(Anjani Kumar Sharan, J)

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