

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11541 of 2023

- 1 . Rakesh Kumar Sharma Son of A. N. Sharma, Resident of Mohalla- Mithila Colony, P.O.- Bataganj, P.S.- Digha, District- Patna.
2. Satyendra Kumar Yadav, Son of Ram Chandra Yadav, Resident of Mohalla- New Tara Chak, P.S.- Danapur, District- Patna.
- 3 . Subodh Kumar Singh, Son of Late Raj Nandan Singh, Resident of Mohalla- Sattar Saray, P.S.- Maner, District- Patna.
4. Keshari Kumar, Son of Late Ram Pravesh Singh, Resident of Mohalla- Chandra Vihar Colony, Ashiyana Nagar, P.S.- Rajiv Nagar, District- Patna.
- 5 . Samrendra Kumar Singh, Son of Late Sawalia Singh, Resident of Village and Post- Rasalpura, P.S.- Doriganj, District- Siwan.
6. Rajesh Kumar Singh, Son of Late Bhishm Prasad Singh, Resident of Mohalla- M.G. Nagar, Kanti Factory Road, P.S.- Patrakar Nagar, District- Patna.
7. Akshay Kumar Singh, Son of Ram Bhawan Singh, Resident of Road No. 5A, Adarsh Colony, Patelnagar West, P.S.- Shastrinagar, District- Patna.
- 8 . Krishna Gopal Gupta, Son of Jwala Prasad Gupta, Resident of Mohalla- Chamarichak, P.S.- Danapur, District- Patna.
9. Ajit Kumar, Son of Nagendra Sharma, Resident of Mohalla- Panchshil Nagar, Khagri Road, P.S.- Danapur, District- Patna.
- 10 . Anis Ahmad, Son of Late Abdul Khaliq, Resident of Mohalla- Naudhal, Haidari Colony, Patna City, P.S.- Khajekalan, District- Patna.
- 11 . Jitendra Nath Singh, Son of Surendra Nath Singh, Resident of Mudra Bhawan, Pragati Nagar, P.S.- Beur, District- Patna.
12. Vinod Kumar, Son of Nasib Lal Ray, Resident of Village- Janipur, P.O.- Sorampur, P.S.- Janipur, District- Patna.
- 13 . Anand Kumar Gupta, Son of Late Lakshman Prasad Gupta, Resident of Lane-2, Bank Colony, Gola Road, P.S.- Danapur, District- Patna.
14. Munna Harijan, Son of Bishwnath Harijan, Resident of Village and Post- Hasanpura P.S.- MH Nagar, District- Siwan.
15. Sumeshwar Singh, Son of Dharmdeo Singh, Resident of Mohalla-Samser Nagar, P.S.- Daudnagar, District- Aurangabad.
- 16 . Jitendra Kumar Singh, Son of Ram Bachan Singh, Resident of Judges colony, Bailey Road, P.S.- Danapur, District- Patna.
17. Raj Kumar, Son of Dwarika Prasad, Resident of Mohalla- Rahimpura, Parsa, P.S.- Parsa, District- Patna.
- 18 . Sanjay Kumar, Son of Vishwnath Prasad, Resident of Mohalla- New Yarpur, P.S.- Gardanibagh, District- Patna.
19. Md. Ashraf Parwez, Son of Amiruddin Ansari, Resident of Mohalla Moti Chak, Khagaul, P.S.- Khagaul, District- Patna.
20. Birendra Kumar Pandey, Son of Gupteshwar Pandey, Resident of Mohalla- Chashma Centre Gali, Kurji, P.S.- Digha, District- Patna.



21. Satyajit Prakash, Son of Late Kailash Bihari Prasad Verma, Resident of Mohalla- Bharti Darshan Shankar Path, Punaichak, P.S. Shastri Nagar, District- Patna.
22. Sujeet Prakash, Son of Late Kailash Bihari Prasad Verma, Resident of Mohalla- Bharti Darshan Shankar Path, Punaichak, P.S.- Shastri Nagar, District- Patna.
23. Niranjana Kumar Son of Awinash Mohan Prasad, Resident of Mohalla- Ashokpuri Chawk, Khajpura P.S.- Shastri Nagar, District- Patna.
24. Subhash Kumar Gupta Son of Late Ram Babu, Resident of Village- Saguna, P.O.- Danapur Cantt, P.S.- Danapur, District- Patna.

... .. 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 Finance, Government of Bihar, Patna
3. The Director, Primary Education, Government of Bihar, Patna
4. The District Education Officer, Patna
5. The District Programme Officer, (Establishment), Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kripa Nand Jha, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (Sc16)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2024 Heard learned counsel for the parties.

2. The present writ petition has been filed for the issuance of direction to respondent authorities to grant first ACP and second ACP to these petitioners with effect from 2009 and 2019 respectively holding their date of appointment in the year 1999 as have been decided by this Hon'ble Court in the identical matter in LPA No. 1409 of 2017 (Raj Narain Singh & Ors. Vs. the State of Bihar & Ors.) related to other district.



3 . Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the judgment passed in LPA No. 756 of 2015 arising out of C.W.J.C. No. 6139 of 2007 dated 16.08.2017. Hence, the petitioners are entitled to the similar relief as per the State Litigation Policy under Clause 4(c)(1) which reads as follows:-

“4.C Covered Matters: 4.C (1). A good number of cases are from the category of similar cases. Each Government Department will aim to consider and settle the claim of the representationist/applicant-employee/citizen, if the claim is found covered by any decision of the Court. Many service matters of this nature, can be disposed of at the level of the Department itself without compelling the litigant to come to the Court. In this manner, the Government Departments would be acting as efficient litigants.

4. Considering the submissions made on behalf of the petitioners, the present writ application stands disposed of in light of 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 and the State Litigation Policy as quoted above.

5 . Considering the aforesaid submissions made on behalf of the petitioners, this writ petition is disposed of with direction to concerned competent authority to consider the claim



of the petitioner in light of the aforesaid C.W.J.C. No. 6139 of 2007 dated 31.03.2011, if the claim of the petitioners found similar to those with whom petitioners seek parity , the same benefits shall be extended to these petitioners within a period of six months from the date of making such representation before the competent authority .

6. Accordingly, the instant petition stands disposed of.

(Prabhat Kumar Singh, J)

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