

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16951 of 2024**

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1. Indrajeet Kumar Singh, son of Yugeshwar Prasad Singh, resident of Karhara, Police Station Mali, District Aurangabad.
2. Amitabh Ranjan, Son of Shankar Dayal Singh, resident of village - Biratpur, Police Station - Aurangabad, District - Aurangabad.
3. Rashmi Priya, daughter of Arvind Kumar, resident of village Samsheer Nagar, Police Station Daudnagar, District - Aurangabad.
4. Vikash Kumar, son of Ajay Kumar Sharma, resident of village - Shamsheer Nagar, Police Station Shamsheer Nagar, District - Aurangabad.
5. Keshranjan Kumar, son of Bachchunandan Sharma, resident of village-Surya Mandir, Shamsheer Nagar, Police Station-Daudnagar, District-Aurangabad.
6. Ranjan Kumar, son of Ramakant Sharma, resident of village B-56 Matri Chaya, Buddha Colony, Police Station - Phulwari Sharif, District - Patna.
7. Krishnakant Singh, son of Uday Narayan Singh, resident of village-Makhara, Police Station- Obra, District - Aurangabad.
8. Kamlesh Kumar Kaushal, son of Dudheshwar Singh, resident of village Kanchanbigha, Police Station - Fatehabad, District - Arwal.
9. Radhey Ranjan Prasad, son of Shravan Prasad, resident of village-Mamrejpur, Police Station- Daudnagar, District - Aurangabad.
10. Devendra Prasad, son of Kamala Prasad, resident of village-Danada, Police Station Vikram, District - Patna.
11. Giridhar Prasad, son of Sudarashan Prasad, resident of village - Baidrabad, Police Station - Badrabad, District - Arwal.
12. Shaurabh Kant, son of Haribansh Sharma, resident of village-Shamsheer Nagar, Police Station-Daudnagar, District - Aurangabad.
13. Subh Narayan Singh, son of Balmun Singh, resident of village-Ward no. 11, Keshrari, Police Station - Daudnagar, District - Aurangabad.
14. Anil Kumar Mandal, son of Shivpujan Singh, resident of village-Baloura, Police Station - Sonbhadra, District Arwal.
15. Amit Kumar, Son of Sriram Singh, resident of village - Suhi Kataiya, Police Station-Deo, District - Aurangabad.
16. Syed Tafvizzul Haque, Son of Syed Raisul Haque, resident of village-Azad Nagar, Police Station Aurangabad, District - Aurangabad.
17. Babita Kumari, Wife of Amitabh Ranjan, resident of village-Biratpur, Police Station-Aurangabad, District - Aurangabad.
18. Hemlata Singh, Wife of Abhay Kumar Singh, resident of village - New Market Sherghati, Police Station Sherghati, District - Gaya.
19. Manoj Kumar Sharma, Son of Madhu Kawi Rai, resident of village-Perhap, Police Station - Sahar, District - Bhojpur.
20. Niranjay Kumar, Son of Raja Singh, resident of village-Ajay Bigha Arora, Police Station - Deo, District Aurangabad.
21. Manish Kumar, Son of Jagdish Prasad Singh, resident of village - Block Colony, Police Station Aurangabad, District - Aurangabad.



22. Rakesh Ranjan, Son of Tribhuan Nath Singh, resident of village-Anurah Memorial Collage, Laxman Mohalla, Police Station - Aurangabad, District - Aurangabad.
23. Ravindra Nath, Son of Raghunandan Prasad, resident of village Ahri, Police Station Aurangabad, District - Aurangabad.
24. Lalit Kumar, Son of Shivnandan Singh, resident of village-Ankupur Belkhara, Police Station-Baidrabad, District - Arwal.
25. MD Sarfraz Alam Ansari, Son of MD Zainuddin Ansari, resident of village-Amjhar Sharif, Police Station - Haspura, District - Aurangabad.
26. Shashi Kant Sharma, Son of Deo Prasad Sharma, resident of village-Balhama, Babu Amauna, Police Station - Daudnagar, District - Aurangabad.
27. Pravin Kumar, Son of Lalan Prasad Sharma, resident of village-Masadpur, Police Station - Prasi, District-Arwal.
28. Devendra Kumar Singh, Son of Late Ram Nandan Singh, resident of village Sampat chak, Police Station Sampat Chak, District - Patna.
29. Akshya Kumar Singh, Son of Munshi Singh, resident of village - Moharihan Khochrihan, Police Station - Dhansoi, District - Buxar.
30. Sanjay Kumar, Son of Bindeshwari Prasad, resident of village - Chhaku Bigha, Kanap, Police Station-Daudnagar, District - Aurangabad.
31. Ravindra Kumar, Son of Radhe Shyam Singh, resident of village-Akauni, Police Station Daudnagar, District - Aurangabad.
32. Vinay Kumar Singh, Son of Hari Narayan Singh, resident of village Soni, Khairadip, Police Station Daudnagar, District - Aurangabad.
33. Dharmendra Kumar, Son of Ram Jatan Prasad, resident of village-Kodiyari Baluganj, Police Station-Dhibra, District - Aurangabad.
34. Ram Prit Yadav, Son of Bhagwat Yadav, resident of village-Sirroundha Umga, Police Station Madanpur, District - Aurangabad.
35. Pankaj Kumar Sharma, Son of Rajendra Prasad Bhat, resident of village - Rajganj, Police Station - Rajganj, District - Dhanbad (Jharkhand).
36. Chitranjan Kant Bharti, Son of Bhagwat Yadav, resident of village Chhati, Bishnupur, Police Station-Deo, District - Aurangabad.
37. Indu Kumari, wife of Arun Kumar Singh, resident of village Siyadih, Police Station -Dhangain, District Bhojpur.
38. Narendra Prasad, Son of Durga Prasad, resident of village - Karhara, Police Station-Aurangabad, District - Aurangabad.
39. Ranjan Kumar, Son of Bhagwat Yadav, resident of village Kaswan, Nehalpur, Police Station Parasbigha, District - Jahanabad.
40. Rajaram Pal, Son of Bhagwat Yadav, resident of village Akauni, Regania, Police Station - Rafiganj, District Aurangabad.
41. Madhu Kumari, wife of Satyendra Kumar, resident of village Simaru, Police Station -Gurua, District - Gaya.
42. Nargis Ara, wife of Kalimuddin Ansari, resident of village-Islamtoli, Police Station- Aurangabad, District - Aurangabad.



43. Rajesh Kumar, Son of Durga Prasad, resident of village Karma Road, Police Station -Aurangabad, District Aurangabad.
44. Kahkshan Arshad, wife of Shadabur Rab, resident of village - Gaya, Police Station -Gaya, District - Gaya.
45. Alpana Singh, wife of Jai Kumar Singh, resident of village Veerkunwar Singh, New Area, Police Station-Aurangabad, District-Aurangabad.
46. Veena Kumari, wife of Ram Udar Pandey, resident of village Gandhi Nagar, Police Station Aurangabad, District - Aurangabad.
47. Pramod Kumar, Son of Durga Prasad, resident of village-Barauli, Police Station-Piro, District-Bhojpur.
48. Prabhawati Kumari, wife of Kalikinkar Singh, resident of village - Bithwan Baghanauli, Police Station Dawath, District - Rohtas.
49. Kali Kinkar Singh, Son of Krishna Singh, resident of village - Bithwan Baghanauli, Police Station - Dawath, District Rohtas.
50. Ashutosh Kumar, Son of Madan Prasad, resident of village Andhwari, Police Station -Nawada, District Nawada.
51. Kedar Prasad, Son of Hari Krishna Prasad, resident of village - Bairi Bari, Police Station - Sanjhauli, District Rohtas.
52. Upendra Kumar, Son of Shambhu Sharan Sharma, resident of village - Babu Amauna, Police Station Daudnagar, District - Buxar.
53. Mahesh Kumar Singh, Son of Yudhnath Singh, resident of village Babhanli, Police Station Bihta, District - Patna.
54. Manoranjan Kumar, Son of Ram Daras Prasad, resident of village Tarar, Police Station - Daudnagar, District - Aurangabad.
55. Dharmendra Kumar, Son of Rambriksh Prasad, resident of village Deohara, Police Station - Haspura, District - Aurangabad.
56. Nitu Kumari, wife of Ishwari Razak, resident of village Damodarpur, Police Station-Dhanbad, District - Dhanbad (Jharkhand).
57. Surendra Kumar, Son of Muni Lal Kasera, resident of village-Kasera Toli, Police Station-Daudnagar, District - Aurangabad.
58. Arun Kumar Singh, Son of Ekram Singh, resident of village - Niranjapur Gorari, Police Station Gorari, District- Rohtas.
59. Shiv Shanker Pandey, Son of Baidyanath Pandey, resident of village - Chauri, Police Station Daudnagar, District - Aurangabad.
60. Upendra Kumar, Son of Gopal Prasad Yadav, resident of village - Rupan Bigha, Police Station - Tekari, District - Gaya.
61. Rajesh Kumar Pathak, Son of Suresh Kumar Pathak, resident of village - Itadhi Gumti, Candni Chowk, Police Station Buxar, District - Buxar.
62. Ram Kishor, Son of Bagish Singh, resident of village Baijalpur, Police Station Upahara, District - Aurangabad.
63. Ashutosh Kumar Pankaj, Son of Ram Bilash Prasad, resident of village-Raniganj, Police Station Imamganj, District - Gaya.
64. Jayant Kumar Singh, son of Rameshwar Singh, resident of village -



Bhaluhar, Police Station - Banke Bazar, District - Gaya.

65. Brajendra kumar Singh, Son of Ranjeet Kumar Singh, resident of village-Chandauli Shimla, Police Station-Kasma, District - Aurangabad.
66. Satyendra Prasad Azad, Son of Mahabir Prajapati, resident of village-Manjhaliya Naugarh, Police Station - Amas, District - Gaya.
67. Jayram Sah, Son of Sudam Shah, resident of village-Nonar, Police Station-Piro, District Bhojpur.
68. Md. Aftab Alam, Son of Md. Saruddin, resident of village Ramna Mela, Police Station- Sherghati, District - Gaya.
69. Akhilesh Sharma, Son of Shankar Sharma, resident of village Narkappi Gadi, Police Station Madanpur, District - Aurangabad.
70. Ruby Yadav, wife of Asit Ranjan, resident of village-Bishwambhar Bigha Kushi, Police Station Aurangabad, District -Aurangabad.
71. Rambaran Mehta, Son of Baliram Mehta, resident of village-Babhandi, Police Station - Amba, District-Aurangabad.
72. Manoj Kumar, Son of Jaynandan Sharma, resident of village Manaura, Police Station - Obra, District - Aurangabad.
73. Ajit Kumar Singh, Son of Ramdas Singh, resident of village-Dewahi, Police Station - Daudnagar, District - Aurangabad.
74. Ajay Kumar Sharma, Son of Dhananjay Singh, resident of village Narayanpur, Police Station - Obra, District - Aurangabad.
75. Manzoor Alam, Son of Noor Alam, resident of village - Azad Mohalla Kara, Police Station - Obra, District - Aurangabad.
76. Binod Kumar, Son of Shivshankar Singh, resident of village - Parsanwan, Police Station Konch, District - Gaya.
77. Satyendra Narayan Singh, Son of Jagdish Singh, resident of village-Phesra, Police Station Pauthu, District - Aurangabad.
78. Satyendra Kumar, Son of Ganauri Sharma, resident of village-Noawan, Police Station- Shakurabad, District - Jahanabad.
79. Mithileshwar Prasad Vishnu, son of Vishnu Deo Prasad Vishnu, resident of village - Belkhara, Police Station Baidrabad, District - Arwal.
80. Neera Kumari, wife of Sanjay Singh, resident of village-Satyendra Nagar, Police Station-Aurangabad, District - Aurangabad.
81. Sushma Kumari, wife of Ranjan Kumar, resident of village Kaswan Nehalpur, Police Station-Prasbigha, District - Jahanabad.
82. Reena Chaurasia, wife of Raj, resident of village - Barai Araura, Police Station - Deo, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Patna, Bihar.
2. The Additional Chief Secretary, Education Department, Patna, Bihar.
3. The Director, Secondary Education, Education Department, Patna, Bihar.
4. The District Education Officer, Aurangabad.



- 5. The District Programme Officer, Aurangabad.
- 6. The Deputy Development Commissioner-cum-Chief Executive Officer, Jila Parishad, Aurangabad.

... .. Respondent/s

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**Appearance :**

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|-----------------------|---|---------------------------------------------------------------------------|
| For the Petitioner/s  | : | Mr. Bindhyachal Singh- Sr. Advocate<br>Mr. Parijat Saurav- Advocate       |
| For the State         | : | Mr. K. P. Gupta-Government Pleader (10)<br>Mr. Virendra Kuar- AC to GP-10 |
| For the Zila Parishad | : | Mr. Nikesh Kumar                                                          |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      26-11-2024                      1. Heard learned senior counsel for the petitioners, learned AC to GP-10 for the State and the learned counsel appearing on behalf of the Zila Parishad, Aurangabad.

2. The learned senior counsel for the petitioners submits that the instant writ application has been filed seeking a direction upon the authorities to consider and grant promotion to the petitioners on the post of Headmaster from the date they have fulfilled the eligibility criteria as per Rule-8 of the Bihar Zila Parishad Secondary and Senior Secondary School Service (Appointment, Promotion, Transfer, Disciplinary Proceedings and Service Condition) Rules, 2020.

3. Further, for a direction upon the respondents to consider and grant promotion to the petitioners, who are Secondary Teachers on the Post of Senior Secondary Teachers from the date they have fulfilled the eligibility criteria as per Rule-7 of the Bihar Zila Parishad Secondary and Senior



Secondary School Service (Appointment, Promotion, Transfer, Disciplinary Proceedings and Service Condition) Rules, 2020. It is submitted that the petitioners for the present are not pressing Relief- III prayed in the instant writ application.

4. The learned senior counsel submits that an I.A. No.01 of 2024 has been filed wherein a prayer has been made to restrain the respondents from filling the post of Headmaster in Rajkiya, Rajkiyekrit, Project Kanya and Utkramit Secondary and Senior Secondary School covered by the Bihar Zila Parishad Secondary and Senior Secondary School Service (Appointment, Promotion, Transfer, Disciplinary Proceedings and Service Condition) Rules, 2020 by direct recruitment from any successful candidates of advertisement no.26 of 2024, whose provisional merit-list was published by the Bihar Public Service Commission on 01.11.2024.

5. The learned counsel appearing on behalf of the State submits that the relief claimed for by the petitioners in the I.A. cannot be granted for the reason that the said relief is being claimed based on apprehension that the chances of the petitioners for being considered as Headmaster in Schools governed by Zila Parishad will be affected in the event, if a candidate selected by B.P.S.C. is appointed as Headmaster. The



learned counsel for the State next submits that in the event, if a candidate selected by the B.P.S.C. is appointed as Headmaster in a school governed by the Zila Parishad and the petitioners feel aggrieved that the appointment of the candidates selected by B.P.S.C. has been made in breach of the rules affecting their consideration, in that event, the petitioners can move before an appropriate forums/authorities for redressal of their grievance, but at this stage, the said relief cannot be granted.

6. The Court is incomplete concurrence with the submissions made by the learned State counsel, as such, is not inclined to entertain the I.A. Application.

7. However, the relief claimed in the writ application is only for considering the case of the petitioners for promotion to the post of Headmaster provided they are fulfilling the eligibility criteria in terms of the rules for which they have represented before the Incharge Headmaster of the concerned schools and the Incharge Headmaster of the concerned schools have forwarded their application to the Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Aurangabad for considering the case of the petitioners as would manifest from Annexure- P/3 series.

8. The learned senior counsel for the petitioners



submits that in terms of the rules, it is the committee headed by the Chairman, Zila Parishad is the authority competent for considering the case of which the Deputy Development Commissioner is Member Secretary.

9. The learned counsel for the State submits that the writ application can be disposed of with a direction to the Deputy Development Commissioner- cum- Chief Executive Officer, Zila Parishad, Aurangabad to consider and dispose of the representation of the petitioners received through the Headmaster of the concerned schools within a time frame.

10. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Aurangabad to consider and dispose of the representation received in his office forwarded by the Incharge Headmaster of the concerned schools with regard to the grievance raised by the petitioners for consideration as Headmaster as raised in the instant writ application within a period of six months from the date of receipt/production of a copy of this order.

**(Satyavrat Verma, J)**

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