

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11386 of 2023

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Umesh Kumar Son of Jhapatlal Pandit Resident of Village Ward No. 22
Jaiprakash Nagar Near Kailash Bhawan, Police Station and District-
Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Department of Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
4. The District Education Officer, Khagaria District- Khagaria.
5. The District Programme Officer (Establishment) Khagaria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11545 of 2023

=====

Sunil Kumar Sunil son of Pramod Kumar Paswan, Resident of Village-Balha
Ward No. 07, Near Bhagwati Asthan, P.O.-Balha, Police Station-Mansi,
District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
4. The District Education Officer, Khagaria, District-Khagaria.
5. The District Programme Officer (Establishment), Khagaria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11650 of 2023

=====

Dinesh Kumar Son of Turanti Das, Resident of Village - Chak Hussaini, Post
Office and Police Station - Mansi, District - Khagaria.

... .. Petitioner/s

Versus

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



Govt. of Bihar, Patna.

- 2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
- 3. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
- 4. The District Education Officer, Khagaria, District Khagaria.
- 5. The District Programme Officer (Establishment) Khagaria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11807 of 2023

Jai Prakash Rajak Son of Anandi Rajak Resident of Village-Muradpur, Post Bishanpur, Police Station-Parbatta, District-Khagaria.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Principal Secretary Department of Education, Govt. of Bihar, Patna.
- 2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
- 3. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
- 4. The District Education Officer, Khagaria Distirct, Khagaria.
- 5. The District Programme Officer (Establishment) Khagaria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 15493 of 2023

Rakesh Kumar Son of Late Pulkit Yadav, Resident of Village- Sapaha, Police Station- Maheshkhut, District- Khagaria.

... .. Petitioner/s

Versus

- 1. The State of Bihar Through the Principal Secretary Department of Education, Govt. of Bihar, Patna.
- 2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
- 3. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
- 4. The District Education Officer, Khagaria District, Khagaria.
- 5. The District Programme Officer (Establishment) Khagaria.

... .. Respondent/s

with



Civil Writ Jurisdiction Case No. 15743 of 2023

Sanjiv Das Son of Banarsi Das, Resident of Village- Ward No. 08 Jalkoura,
Post Office - Jalkoura, Police Station and District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
4. The District Education Officer, Khagaria, District Khagaria.
5. The District Programme Officer (Establishment) Khagaria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 15827 of 2023

Lalitdeo Sah Son of Jawahar Sah, Resident of Village- Sirjua Ward No. 12,
Police Station- Maheshkhut, Ballamjan, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Department of Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
4. The District Education Officer, Khagaria District, Khagaria.
5. The District Programme Officer (Establishment) Khagaria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 16033 of 2023

Ajit Kumar Son of Darshan Singh Resident of Village- Sanhauli, Ward No. 10, Police Station Sanhauli, District- Khagaria, At present working at Madhya Vidyalaya Bhawangama in the district of Khagaria.

... .. Petitioner/s

Versus

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



- 3. The Director Primary Education, Education Department, Govt of Bihar, Patna.
- 4. The District Education Officer, Khagaria, District- Khagaria.
- 5. The District Programme Officer (Establishment), Khagaria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 16485 of 2023

=====

Garib Choudhary Son of Bahor Choudhary, Resident of Village - Rasaukh Ward No. 08, Police Station - Maurkahi, District- Khagaria.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Principal Secretary Department of Education, Govt. of Bihar, Patna.
- 2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
- 3. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
- 4. The District Education Officer, Khagaria District, Khagaria.
- 5. The District Programme Officer (Establishment) Khagaria.

... .. Respondent/s

=====

with

Civil Writ Jurisdiction Case No. 18351 of 2023

=====

Pawan Kumar Thakur Son of Yogendra Thakur, Resident of Village - Badi Jhiktia, Post - Maheshkhut, Police Station - Khagaria, District - Khagaria.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Principal Secretary Department of Education, Govt. of Bihar, Patna.
- 2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
- 3. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
- 4. The District Education Officer, Khagaria District - Khagaria.
- 5. The District Programme Officer (Establishment), Khagaria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 5089 of 2024

=====



Jitendra Kumar Jawahar Son of Late Moti Lal Sah Resident of Vilalge and
Post- Office-Bhadas, Ward No. 08, Bhadas South, P.S.- Khagaria, District-
Khagaria

... .. Petitioner/s

Versus

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

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 11386 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Mr.Subhash Chandra Mishra (Sc16)

(In Civil Writ Jurisdiction Case No. 11545 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Mr.Prabhakar Jha (Gp 27)

(In Civil Writ Jurisdiction Case No. 11650 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Smt. Binita Singh (Sc 28)

(In Civil Writ Jurisdiction Case No. 11807 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Mr.Madanjeet Kumar (Gp20)

(In Civil Writ Jurisdiction Case No. 15493 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Mr.Madhaw Prasad Yadaw (Gp 23)

(In Civil Writ Jurisdiction Case No. 15743 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Mr.Madhaw Prasad Yadaw (Gp 23)

(In Civil Writ Jurisdiction Case No. 15827 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Mr.Jitendra Kumar Roy 1 (Sc 13)

(In Civil Writ Jurisdiction Case No. 16033 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Smt. Binita Singh (Sc 28)

(In Civil Writ Jurisdiction Case No. 16485 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Mr.Kameshwar Kumar (Gp 17)

(In Civil Writ Jurisdiction Case No. 18351 of 2023)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Mr.Government Pleader 26

(In Civil Writ Jurisdiction Case No. 5089 of 2024)

For the Petitioner/s : Ms.Sweta Raj

For the Respondent/s : Mr.Government Pleader 12

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT



Date : 20-04-2024

Heard learned counsel for the petitioners and learned counsel for the respondents.

2. Learned counsel for the petitioners submit that the case of the petitioners is fully covered by the judgment passed by Full Bench of this Court in **C.W.J.C. No.11255 of 2016** and analogous cases (**Ramashankar Patel & Ors. vs. State of Bihar & Ors**).

3. Considering the aforesaid facts, since the case of the petitioners stand on similar footings to that of the petitioners of C.W.J.C. No.11255 of 2016, there is no requirement to keep pending the present writ applications.

4. Accordingly, petitioners are directed to file a detailed representation along with a copy of the order passed in C.W.J.C. No.11255 of 2016, before the respondent no.5, (District Programme Officer, Establishment, Khagaria), within a period of two weeks and the respondent no.5 is well advised to consider the case of the petitioners and dispose of the representation of the petitioners after affording an opportunity of personal hearing or through their counsel and pass a reasoned and speaking order in accordance with law and in light of the order passed in C.W.J.C. No.11255 of 2016 within eight weeks



from the date of filing of such representation by the petitioners.

5. If the respondent authorities came to a finding that the case of the petitioners is on similar footings to that of the petitioners of C.W.J.C. No.11255 of 2016, then similar benefits shall be given to the present petitioners.

6. It is made clear that respondent no.5 shall be personally held responsible for non-compliance of this order.

7. It is also made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioners.

8. With the aforesaid directions, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

shikha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.04.2024
Transmission Date	NA

