

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.790 of 2022

In

Civil Writ Jurisdiction Case No.2028 of 2021

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1. Vikash Kumar Son of Late Indradeep Singh, Resident of Mohalla - E- 10, Koshi Colony, P.S. - Birpur, District - Supaul. Presently working as Clerk in R.L.N.V.M., Balua Bazar, Supaul.
 2. Md. Ansar Alam, Son of Late Ahmad Hussain Ansari Resident of Mohalla Ward No. 13, Malmaliya, P.S. - Pratapganj, District - Supaul. Presently working as clerk in H.N. High School, Surjapur Supaul.
 3. Sanoj Kumar Prabhakar, Son of Late Shyam Sundar Mandal Resident of Mohalla - Ward No. 1, Hardi, P.S. - Herdi, District - Supaul. Presently working as Clerk in Govt. Bhagirath High School, Nirmali, Supaul.
 4. Sanjeev Kumar Paswan, Son of Late Jagdish Prasad Paswan Resident of Mohalla - Ward No. 10, Katahi, P.O. - Gwalpara, P.S. - Chatapur, District - Supaul, Presently working as Clerk in S.S. High School, Charne, Supaul.
 5. Amit Anand, Son of Late Arvind Kumar, Resident of Mohalla - Ward No. 02, E- 42, Koshi Colony, Birpur, P.S. - Birpur, District - Supaul. Presently working as clerk in R.K.B.A. High School, Triveniganj, Supaul.
 6. Vikash Chandra Vibhash, Son of Late Mahanand Jha Resident of Mohalla Ward No. 8, Birpur, P.S. - Birpur, District - Supaul. Presently working as clerk in K.K. High School, Hariharpur, Supaul.
 7. Ranjeet Kumar, Son of Late Ram Ratan Ram, Resident of Mohalla - Ward No. 17, Koshi Road, Supaul, P.S. - Supaul, District - Supaul. Presently working as clerk in Tejendra High School, Baruari, Supaul.
 8. Indra Bhushan Kumar, Son of Late Kapileshwair Kamat Resident of Mohalla - Ward No. 14, Naya Nagar, P.S. - Supaul Nagar, District - Supaul. Presently working as clerk in Inter Level High School, Sukhpur, Supaul.
 9. Rajendra Ram, Son of Late Fuleshwar Ram, Resident of Village and P.O. -



- Garh Baruari, Ward No. 2, P.S. - Baruari, District - Supaul. Presently working as clerk in S.D.S.K.B. High School, Hardi Chaughra, Supaul.
10. Dilip Kumar, Son of Late Bhupendra Narayan Yadav, Resident of Mohalla Ward No. 2, Bairiya, P.S. - Ratauli, District - Supaul. Presently working as Clerk in Govt. Samajwadi High School, Maujaha, Supaul.
11. Bijay Kumar Choudhary, Son of Late Surya Narayan Choudhary, Resident of Mohalla - Ishakchak, Mirjanhat, P.S. - Jagdishpur, District - Bhagalpur. Presently working as Clerk in D.E.O. Office, Bhagalpur.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Bhagalpur Division, Bhagalpur.
4. The Regional Deputy Director of Education, Koshi Division, Saharsa.
5. The District Education Officer, Bhagalpur.
6. The District Education Officer, Supaul.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajiv Ranjan with
Mr. Mrigendra Kumar, Advocates
For the State : Mr. Apurva Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 28-02-2024 Ministerial Staffs of schools have come before this Court seeking parity of pay with similarly situated employees. The learned Single Judge directed the petitioners to go before the District Appellate Authority/State Appellate Authority



relying on a judgment of this Court. However, those all are with respect to Panchayat Teachers and the District Appellate Authority/State Appellate Authority has absolutely no jurisdiction insofar as the Ministerial Staffs are concerned.

2. In such circumstances, we set aside the order passed by the learned Single Judge and remand the matter to the learned Single Judge for consideration.

3. The LPA would stand disposed of.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

Anjani/-

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