

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5028 of 2019

In
Civil Writ Jurisdiction Case No.14889 of 2019

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1. Ghanshyam Pandey, Son of Late Amla Pandey, Resident of Village and P.O.- Ratanpura, P.S.- Maharajganj, District- Siwan, presently posted as Clerk in Sihauta bangara High School - cum- Inter College, Maharajganj, District- Siwan.
 2. Sanjay Kumar Singh, Son of Late Dasharath Prasad, Resident of Village- Bhagwanpur Hat, P.S.-Bhagwanpur Hat, District-Siwan, presently posted as Clerk in Shivji Sitaram Singh S.S.H.S.-cum-Inter College, Bhagwanpur, District-Siwan.
 3. Sanjeet Kishor Dwivedy, Son of Late Sachindra Kumar Dwivedy, Resident of Village and P.O.-Paterha, P.S. Maharajganj, District-Siwan, presently posted as Clerk Umashankar Prasad High School, Maharajganj, District- Siwan.
 4. Vikash Kumar Tiwari, Son of Late Ayodhya Prasad Tiwari, Resident of Village-Amawa, P.O. Bhudipakar, P.S.-Hata, District-Deoria (U.P.), presently posted as Clerk at Rajbanshi Devi Girls High School, Siwan.
 5. Rajesh Tripathi, Son of Late Surendra Nath Tripathi, Resident of Village Nakdiha, P.O.-Siswa Pandey, P.S.-Bhaluani, District-Deoria (U.P.), presently residing at 384, Uma Nagar, Ram Nath, Ward no. 5, Deoria, P.S. and District-Deoria (U.P.), presently posted as Clerk in Town High School, Mairwa, District-Siwan.
 6. Subodh Kumar Tiwari, Son of Late Birendra Tiwari, Resident of Village- Sirsaw, P.O. and P.S.-Daraunda, District-Siwan, presently posted as Clerk in Shri Gauri Shankar High School, Ujjain, Block-Daraunda, District-Siwan.
 7. Raghavendra Kumar, Son of Late Ram Ekbal Pandey, Resident of Village and P.O.-Sarari, P.S.-Goriyakothi, District-Siwan, presently posted as Clerk in Premchand High School, Sarari, Block-Goriyakothi, District-Siwan.
 8. Subash Kumar Ram, Son of Late Chhabila Ram, Resident of Village- Sundarpur, P.O.-Sundari, P.S.-Barhariya, District-Siwan, presently posted as Clerk in Sri Krishna High School, Kailgarh, Block Barhariya, District- Siwan.
 9. Ganesh Ranjan @ Gangesh Ranjan, Son of Shashi Bhushan Tiwari, Resident of Village-Tariwari, P.S. Darauli, District-Siwan, presently posted as Clerk in Kanya High School, Mairwa, Block Mairwa, District-Siwan.
 10. Dharmendra Kumar, Son of Late Jai Ram Singh, Resident of Village- Piprahiya, P.O. Aruwan, P.S.-Bhagwanpur Hat, District-Siwan, presently posted as Clerk in L.N.B. High School, Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna, namely Sri Deepak Kumar.
2. The Principal Secretary, Department of Education, Government of Bihar,



Patna, namely Sri R.K. Mahajan.

3. The Principal Secretary, Department of Finance, Government of Bihar, Patna, namely Sri S. Siddharth.
4. The Principal Secretary, Department of General Administration, Government of Bihar, Patna, namely Sri Amir Subhani.
5. The Director, Secondary Education, Bihar, Patna, namely Sri Girwar Dayal Singh.
6. The Regional Deputy Director of Education, Saran Division, Saran (Chapra), namely Sri Priya Nandan Prasad.
7. The District Magistrate, Siwan, namely Miss Ranjita.
8. The District Education Officer, Siwan, namely Sri Chandra Shekhar Rai.
9. The District Programme Officer (Establishment), Siwan, namely Sri namely Sri Ashgar Ali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mrs.Binita Singh (Sc 28)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-04-2024 Heard Mr. Sanjay Kumar Singh, learned counsel for
the petitioners and Mrs. Binita Singh, learned SC-28.

2. The present petition has been preferred for compliance of the order dated 24.7.2019 by which a coordinate bench had directed the opposite parties to take appropriate decision in the light of the decision passed in LPA No. 167 of 2016.

3. The petition was filed in the year 2019 after serving copy to the office of the Advocate General, Bihar, Patna and as per the stamp, it was handed over to the office of SC-28 on 29.11.2019, even after lapse of four and half years, no show



cause on record for which this Court was intending to impose cost. However, learned SC-28 has come forward with an order passed by the Director, Higher Education, Bihar, Patna vide memo no. 125 dated 30.9.2020 by which a reasoned order, the claim of the petitioners has been negated.

4. Let the same be kept on record.

5. Taking into account the aforesaid facts that the order has been passed, the learned counsel for the petitioners submit that the liberty be granted to challenge the same.

6. Granting such liberty, the MJC No. 5028 of 2019 stands disposed of.

(Rajiv Roy, J)

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