

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9156 of 2020

1. Upendra Kumar Singh Son of Late Jung Bahadur Singh, resident of Village - Hetimpur, Police Station- Jamo Bazar, District - Siwan. At present posted as an Assistant Teacher in Govt. Primary School Mathia, Anchal - Baikunthpur, District - Gopalganj.
2. Shukant Singh, Son of Late Mathura Singh, resident of Village - Shahpur, Police Station- Sidhwalia, District - Gopalganj. At present posted as an Assistant Teacher in Govt. Middle School Maharani, Anchal - Baikunthpur, District - Gopalganj.
3. Dharmendra Kumar Prasad, Son Sri Ram Nath Prasad, resident of Village - Madhopur, Police Station- Mohammadpur, District - Gopalganj. At present posted as an Assistant Teacher in Govt. Middle School Maharani, Anchal - Baikunthpur, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Chief Secretary-cum-the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The Joint Secretary, Education Department, Bihar, Patna.
6. The District Education Officer, Gopalganj.
7. The District Programme Officer (Establishment) Gopalganj.
8. The Block Education Officer, Baikunthpur, District - Gopalganj.
9. The District Accounts Officer, Gopalganj.
10. The District Treasury Officer, Gopalganj.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 9132 of 2020

1. Vinod Kumar Singh Son of Late Sarda Prasad Singh Resident of Village- Bangra, Dumarsan, Police Station-Bangra, District-Saran Chapra, At Present Posted and Working as an Assistant Teacher in Govt. Primary School Jagdishpur (Purbi), Anchal-Baikunthpur, District-Gopalganj
2. Sudhanshu Kumar Tiwari (M) Son of Late Braj Kishore Tiwari Resident of Village-Sallehlpur, Police Station-Mohammadpur, District-Gopalganj, At Present Posted as an Assistant Teacher in Govt. Upgraded Middle School Dighwa, Anchal-Baikunthpur, District-Gopalganj.
3. Bhim Kumar (M), Son of Late Shiv Shankar Prasad Resident of Village-Kabirpur, Police Station-Sidhwalia, District-Gopalganj, At Present Posted as an Assistant Teacher in Govt. Primary School Rewatith (West), Anchal-



Baikunthpur, District-Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary-Cum-the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The Joint Secretary, Education Department, Bihar, Patna.
6. The District Education Officer, Gopalganj.
7. The District Programme Officer (Establishment) Gopalganj.
8. The Block Education Officer, Baikunthpur, District-Gopalganj
9. The District Accounts Officer, Gopalganj.
10. The District Treasury Officer, Gopalganj

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 9156 of 2020)

For the Petitioner/s : Mr.Umesh Kumar Mishra, Advocate

For the Respondent/s : Mr. Subhash Chandra Mishra, SC 16

(In Civil Writ Jurisdiction Case No. 9132 of 2020)

For the Petitioner/s : Mr.Umesh Kumar Mishra, Advocate

For the Respondent/s : Ms. Narmata Singh, AC to GA 12

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 17-04-2025 Heard Mr. Umesh Kumar Mishra, learned counsel

 appearing on behalf of the petitioners and Mr. Subhash Chandra

 Mishra, learned SC 16 and Ms. Narmata Singh, learned AC to

 GA 12 for the State.

2. Learned counsel appearing on behalf of the

petitioners submitted that the case of the petitioners is squarely

covered by the judgment passed in LPA No.756 of 2015 (**The**

State of Bihar & Ors. Vs. Ram Ashis Tiwary & Ors.) arising



out CWJC No.6139 of 2007 dated 16.08.2017. Learned counsel further submitted that arising out of the same transaction, the petitioners of CWJC No.3525 of 2021 has sought quashing of Memo No.432 dated 20.04.2020 issued under the signature of the Director Primary Education, Bihar. Upon considering the relief as prayed for in para 1 of the said writ petition, this Court quashed the Memo No.432 dated 20.04.2020. Learned counsel further submitted that once the Memo No.432 dated 20.04.2020 has already been quashed in CWJC No.3525 of 2021 in respect of the petitioners of that writ petition, the petitioners are entitled for similar relief.

3. In the above-mentioned background, the petitioners seek to represent before the Additional Chief Secretary, Education Department, Government of Bihar for considering their case in accordance with Clause 4(c)(1) of the State Litigation Policy.

4. Considering that Memo No.432 dated 20.04.2020 has already been quashed by this Court *vide* order dated 24.03.2025 passed in CWJC No.3525 of 2021, without going into the merits of the cases in view of the claim of the petitioners that individual cases of the each petitioners are also covered by the judgment passed in **LPA No.756 of 2015 (The**



State of Bihar & Ors. Vs. Ram Ashis Tiwary & Ors.), the petitioners are given liberty to file their individual representation before the Additional Chief Secretary, Education Department, Government of Bihar for redressal of their grievance. The Additional Chief Secretary, Education Department is directed to dispose of the representation filed on behalf of the petitioners in view of the law laid down in case of **Ram Ashis Tiwary (Supra).**

5. Accordingly, the present writ petitions are disposed of in similar terms in light of order dated 24.03.2025 passed in CWJC No.3525 of 2021.

(Purnendu Singh, J)

Sanjay/-

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