

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.730 of 2023

In

Civil Writ Jurisdiction Case No.6585 of 2021

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1. Shankar Prasad Singh Son of Late Rameshwar Prasad Singh, Resident of Nand Nagar, Chakdah, Near Sundar Chowk, Ward No. 08, P.O. Madhubani, P.S.- Rajnagar, Block - Rajnagar, District -Madhubani, Presently posted as Assistant Teacher at Govt. UMS Balat, Block-Rajnagar, District - Madhubani.
 2. Rakesh Kumar Son of Dineshwar Prasad, Resident of Lakho Binda Campus, Santo Nagar, Ward No. 03, . P.O. Madhubani, P.S.- Madhubani Town, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. UMS Gausanagar (Hindi), Block - Rajnagar, District - Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Vikas Bhawan, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Vikas Bhawan, Patna.
3. The Director, (Primary Education), Department of Education, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
5. The District Education Officer, District - Madhubani.
6. The District Program Officer (Establishment), District - Madhubani.
7. Sunil Kumar Suman, Son of Late Chamak Lal Yadav, Resident of Kukrupatti, P.O. Bhupatti, Via - Babubarhi, P.S. - Babubarhi, Block - Babubarhi, District - Madhubani. Presently posted as Assistant Teacher at Govt. MS Rampatti, Block - Rajnagar, District - Madhubani.
8. Prakash Kumar Karn, Son of Raj Narayan Lal, Resident of Village Shivnagar, P.O. Shivnagar, P.S.- Benipatti, Block - Benipatti, District -Madhubani, Presently posted as Assistant Teacher at Govt. MS Rampatti Block - Rajnagar, District - Madhubani.
9. Jitendra Kumar Jha, Son of Late Rewati Kant Jha, Resident of village Nawani, P.O. - Nawani, P.S.- Araria Sangram, Block- Jhanjharpur, District -Madhubani, Presently posted as Assistant Teacher at Govt. MS Pariharpur, Block - Rajnagar, District - Madhubani.
10. Sanjay Kumar Mishra, Son of Late Mukti Nath Mishra, Resident of Motipur, Ward No. 03, P.O. - Koilakh, P.S.- Rajnagar, Block - Rajnagar, District -Madhubani, Presently posted as Assistant Teacher at Govt. UMS Barhara Rampatti, Block - Rajnagar, District-Madhubani.
11. Md. Shamim Akhtar, Son of Late Zahid Hussain, Resident of Village Bhagwatipur, P.O. Bhagwatipur, P.S.- Pandaul, Block Pandaul, District -Madhubani, Presently posted as Assistant Teacher at Govt. UMS Murlikha Rajnagar, Block - Rajnagar, District-Madhubani.



12. Ganesh Kumar Singh, Son of Late Ras Nandan Roy, Resident of Satghara, P.O. Satghara, P.S.- Babubarhi, Block - Babubarhi, District -Madhubani, Presently posted as Assistant Teacher at Govt. UMS Kushmaul, Block Rajnagar, District Madhubani.
13. Anil Kumar, Son of Late Ramchandra Singh, Resident of At and P.O. - Thahar, Via Khajauli, P.O.- Thahar, P.S.- Khajauli, Block - Khajauli, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Simari, Block - Rajnagar, District - Madhubani.
14. Manoj Mahto, Son of Harilal Mahto, Resident of village Hariharpur, P.O. - Karua, Via Pusa, P.S.- Kalyanpur, Block Kalyanpur, District -Madhubani, Presently posted as Assistant Teacher at Govt. UMS Moharpur, Block-Pandaul, District - Madhubani.
15. Surendra Kumar, Son of Late Deo Narayan Raut, Resident of Nariyal Bazar, Ward No. 16, Mahanthi Lal Chowk, P.O.- Madhubani, P.S.- Madhubani, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Pariharpur East, Block-Rajnagar, District - Madhubani.
16. Md. Ashfaq, Son of Abdus Subhan, Resident of village Mureth, P.O.- Mureth Narhi, P.S.- Arer, Block - Benipatti, District - Madhubani, Presently posted as Assistant Teacher at Primary Maktab Loha Momin Tol South, Block Kaluahi, District - Madhubani.
17. Md. Wasi Ahmad, Son of Md. Haroon, Resident of Raghonagar, P.O.- Bhauara, P.S.- Madhubani, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at P.M. Bhachchhi Urdu, Block - Rahika, District - Madhubani.
18. Pramod Kumar Ram, Son of Rajendra Mahto, Resident of J.P. Colony Ward No.20, P.O.- Madhubani, P.S.- Madhubani, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Harinagar, Block - Rajnagar, District - Madhubani.
19. Neyaj Ahmad Khan, Son of Late Shamim Ahmad Khan, Resident of Mohalla Kotwali Chowk, Ward No. 29, P.O.- Bhauara, P.S.- Madhubani, Block Rahika, District - Madhubani, Presently posted as Assistant Teacher at Primary Maktab Kasera Pokhar, Block- Rahika, District - Madhubani.
20. Prabhas Kumar Jha, Son of Ramesh Jha, Resident of R.K.Puram Colony, Bhachchhi, P.O.- Bhachchhi, P.S.- Madhubani, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. UMS Sundarpur Bhitthi, Block - Rahika, District-Madhubani.
21. Zaki Akhtar, Son of Abdul Majeed, Resident of village Khirhar, Umgaon, P.O.- Khirhar, P.S.- Khirhar, Block- Harlakhi, District - Madhubani, Presently posted as Assistant Teacher at MS Momin Tola, Block- Rahika, District-Madhubani.
22. Avinash Kumar Jha, Son of Late Sukhchandra Jha, Resident of village Dulaha, Ward No. 06, Vin Kewati, P.O.- Dulha, P.S.- Bisfi, Block-Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. UMS Dhanukhi Jagatpur, Block -- Rahika, District - Madhubani.
23. Pinki Sharma, Daughter of Late Brajeshwar Sharma, Resident of Janki Nagar, Kotwali Chowk, P.O.- Madhubani, P.S.- Madhubani, Block - Rahika, District - Madhubani. Presently posted as Assistant Teacher at Govt. PS



Mangrauni, Block- Rajnagar, District - Madhubani.

24. Md. Sajid Hussain, Son of Md. Kasim Rain, Resident of Railway Gumati No.13, Mansuri Tola, Chakdah, P.O.- Ranti, P.S.- Madhubani, Block- Rahika, District - Madhubani, Presently posted as Assistant Teacher at Urdu. MS Momintol, Block District-Madhubani. Rahika,
25. Mahendra Prasad, Son of Ram Nihora Sah, Resident of Basopatti, P.O.- Basopatti, P.S.- Basopatti, Block- Basopatti, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Basopatti, Block- Basopatti, District - Madhubani.
26. Rambhola Pandit, Son of Ram Dayal Pandit, Resident of Siriapur, Ward No. 03, P.O.- Siriapur. P.S.- Basopatti, Block - Basopatti, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Patauna, Block - Basopatti, District - Madhubani.
27. Ashwini Kumar Jha, Son of Late Jayrudra Jha, Resident of Gajhara, via- Khutauna, P.O.- Khutauna, P.S.- Ladaniya, Block - Ladaniya, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Pariharpur, Block - Rajnagar, District - Madhubani.
28. Pramod Kumar Chaupal, Son of Ram Pd. Chaupal, Resident of Patwara, Ward No.9, P.O.- Patwara, P.S.- Rajnagar, Block - rajnagar, District - Madhubani, Presently posted as Assistant Teacher at Govt. UMS Paliwar, Block - Rajnagar, District - Madhubani.
29. Krishna Sewakam, Son of Mahabar Prasad, Resident of Parwati Nagar, Ward No.30, P.O.- Bhauara, P.S.- Madhubani, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Vidyabharti, Block - Rahika, District - Madhubani.
30. Santosh Kumar Jha, Son of Chiranjib Jha, Resident of Koilakh, Motipur, P.O.- Koilakh, P.S.- Rajnagar, Block- Rajnagar, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Parsa, Block-Rajnagar, District - Madhubani.
31. Bechan Kumar Jha, Son of Madhav Jha, Resident of Harinagar, Raghuni Dehat, P.O.- Raghuni Dehat, P.S.- Rajnagar, Block Rajnagar, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Parsa, Block Rajnagar, District - Madhubani.
32. Sanjeev Kumar Mishra, Son of Late Kamlakant Mishra, Resident of village Bhauahi, P.O.- Bhauahi, P.S.- Babubarhi, Block - Babubarhi, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Singioun, Block - Rajnagar, District - Madhubani.
33. Binod Paswan, Son of Shankar Paswan, Resident of village Khirhar, P.O.- Khirhar, P.S.- Khirhar, Block Harlakhi, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Jhitki, Block-Harlakhi, District - Madhubani.
34. Bharat Das, Son of Saguni Das, Resident of Sukhwasi, P.O.- Damu, P.S.- Harlakhi, Block Harlakhi, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Jhitki, Block- Harlakhi, District - Madhubani.
35. Navin Kumar Mishra, Son of Ramashish Mishra, Resident of village Khirhar, P.O.- Khirhar, P.S.- Khirhar, Block - Harlakhi, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Simha Tol,



Block Basopatti, District - Madhubani.

36. Md. Shahabuddin, Son of Md. Israeel, Resident of Mohalla Raghonagar, Ward No. 28, Bhauara, P.O.- Bhauara, P.S.- Madhubani, Block Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Izra, Block - Rahika, District - Madhubani.
37. Pradip Kumar, Son of Late Rajgir Paswn, Resident of Maharajganj, Ward No.13, P.O.- Madhubani, P.S.- Madhubani, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS, Block-, District - Madhubani.
38. Sanjay Kumar Paswan, Son of Late Bhogendra Paswan, Resident of Maharajganj, Ward No.13, P.O.- Madhubani, P.S.- Madhubani, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Maharajganj. Block - Rahika, District - Madhubani.
39. Jay Prakash Bharti, Son of Ramchandra Yadav, Resident of Balanpatti, P.O.- Laxmipur, P.S.- Laukha, Block Khutauna, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Dehat Rajnagar, Block - Rajnagar, District - Madhubani.
40. Sanjay Kumar Mahto, Son of Murali Manohar Mahto, Resident of Laheriaganj. Ward No.1, Shahid Bhagat Singh Colony, P.O.- Madhubani, P.S.- Madhubani, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Khajuri, Rajhan, Block- Rahika, District - Madhubani.
41. Anil Kumar, Son of Ram Charitra Kushwaha, Resident of Malangia, P.O.- Malangia, P.S.- Rahika, Block- Rahika, District Madhubani, Presently posted as Assistant Teacher at Govt. PS Khajuri (Hindi), Block-Rahika, District-Madhubani.
42. Rizwan Alam, Son of Nzir Ahmad, Resident of Haripur Majrahi, P.O.- Kaluahi, P.S.- Kaluahi, Block - Kaluahi, District - Madhubani, Presently posted as Assistant Teacher at Primary Maktab Dhauga Majrahi, Madhubani District - Madhubani.
43. Pramod Kumar, Son of Ramkrishna Sada, Resident of Village Hisar, Vin Khirhar, P.O.- Hisar, P.S.- Khirhar, Block Harlakhi, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Kauaha Madhubani, District - Madhubani.
44. Somesh Ranjan, Son of Ishwar Narayan Mandal, Resident of village selibelli, via Jaynagar, P.O.- Selibelli, P.S.- Basopatti, Block - Basopatti, District Madhubani, Presently posted as Assistant Teacher at Govt. UMS Chitahi, Block - Basopatti, District-Madhubani.
45. Manas Ranjan, Son of Harihar Baitha, Resident of Hisar, Via Khirhar, P.O.- Khirhar, P.S.- Khirhar, Block - Harlakhi, District Madhubani, Presently posted as Assistant Teacher at Govt. MS Umgaon Madhubani, District - Madhubani.
46. Ranjit Kumar Ranjan, Son of Ram Bhajan Yadav, Resident of Village Madhiya, P.O.- Madhiya, P.S.- Basopatti, Block - Basopatti, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Parsu Musahari, Block - Basopatti, District - Madhubani.
47. Md. Sarfaraj Ahmad, Son of Md. Mahboob Alam, Resident of village



- Balkatwa, P.O.- Birpur, P.S.- Basopatti, Block Basopatti, District - Madhubani, Presently posted as Assistant Teacher at Govt. PM Basopatti, Block Basopatti, District Madhubani.
48. Asrar Ahmad, Son of Abdul Gafur, Resident of village Balkatwa, P.O.- Birpur, P.S.- Basopatti, Block - Basopatti, District - Madhubani, Presently posted as Assistant Teacher at Govt. PM Hatthapur, District-Madhubani.
49. Sanjeev Kumar, Son of Ashok Kumar Gupta, Resident of village Bairia, P.O.- Bairia, P.S.- Gopalpur, Block- Sampatchak, District - Patna, Presently posted as Assistant Teacher at Govt. UMS Kasiyauna, Madhubani, District - Madhubani,
50. Sushri Rekha, Daughter of Sri Dharm Narayan Thakur, Resident of Veena Kunj, C/o- Devendra Jha, Ward No. 19, P.O.- Madhubani, P.S.- Madhubani, Block Rahika, District -Madhubani, Presently posted as Assistant Teacher at MS Nagarpalika, Madhubani, District - Madhubani.
51. Reeta, Daughter of Sri Dharm Narayan Thakur, Resident of Veena Kunj, C/o - Devendra Jha, Ward No. 19, P.O.- Madhubani, P.S.- Madhubani, Block Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Sambhuar, Madhubani, District - Madhubani.
52. Ramesh Kumar Pandey, Son of Late Ram Ratan Pandey, Resident of Sothgaon, P.O.- Sothgaon, P.S.- Harlakhi, Block - Harlakhi, District Madhubani, Presently posted as Assistant Teacher at Govt. MS Harlakhi, Block Harlakhi, District - Madhubani.
53. Shiv Shankar Prasad, Son of Late Arjun Yadav, Resident of Mirjapur, P.O.- Mirzapur, Via-Ladania, P.S.- Ladaniya, Block Ladaniya, District Madhubani, Presently posted as Assistant Teacher at Govt. UMS Thadi, Block Ladaniya, District - Madhubani.
54. Amar Nath Kamat, Son of Late Ayodhi Kamat, Resident of Chhapki, P.O.- Ladaniya, P.S.- Ladaniya, Block Ladaniya, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Lagdi Ladaniya, Block Ladaniya, District - Madhubani.
55. Pramod Kumar Singh, Son of Palat Prasad Singh, Resident of Bela Navtoli, P.O.- Babubarhi, P.S.- Babubarhi, Block Babubarhi, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Sonmati, Madhubani, District - Madhubani.
56. Shiv Chandra Kumar Paswan, Son of Budhan Paswan, Resident of Khirhar, P.O.- Khirhar, P.S.- Khirhar, Block - Harlakhi, District-Madhubani, Presently posted as Assistant Teacher at Govt. MS Karuna, Madhubani, District-Madhubani.
57. Ramesh Mandal, Son of Ram Narayan Mandal, Resident of Jhitki, P.O.- Bangama, Via Narahiya, P.S.- Laukhi, Block - Laukhi, District - Madhubani, Presently posted as Assistant Teacher at Govt. UMS Narahiya Bazar, Block - Laukhi, District - Madhubani.
58. Vijay Kumar Singh, Son of Late Ramyatan Singh, Resident of Datuar, P.O.- Khajauli, P.S.- Khajauli, Block -Khajauli, District - Madhubani, Presently posted as Assistant Teacher at Govt. UMS Inrawa Purab, Block-Khajauli, District - Madhubani.
59. Tarun Kumar Sinha, Son of Late Mukteshwar Prasad Sinha, Resident of



- Astua, P.O.- Astua, P.S.- Singhwara, Block - Darbhanga, District - Darbhanga, Presently posted as Assistant Teacher at Govt. MS Pilakhwar, Madhubani, District - Madhubani.
60. Arvind Kumar Singh, Son of Late Arjun Prasad Shashtri, Resident of Sarabe, P.O.- Khajauli, P.S.- Khajauli, Block Khajauli, District Madhubani, Presently posted as Assistant Teacher at Govt. MS Khajauli, Block-Khajauli, District - Madhubani..
61. Md. Mansur Safi, Son of Late Salim Safi, Resident of village Sonmati, P.O.- Patharahi, P.S.- Babubarhi, Block Babubarhi, District - Madhubani, Presently posted as Assistant Teacher at Govt. UMS Hathisara, Block - Babubarhi, District - Madhubani.
62. Saroj Kumar Safi, Son of Khattar Safi, Resident of Narahiya, P.O.- Narahiya, P.S.- Laukhi, Block - Laukhi, District Madhubani, Presently posted as Assistant Teacher at Govt. PS Brindawan Harijantol, Block - Ladaniya, District - Madhubani.
63. Ajit Kumar Mishra, Son of Late Surendra Narayan Mishra, Resident of Chitragupta Nagar, Ward No. 20, Stadium Road, P.O.- Madhubani, P.S.- Madhubani, Block - Rahika, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Saurath (girls), Block-Rahika, District - Madhubani.
64. Ram Prakash Singh, Son of Late Rajeshwar Prasad, Resident of Sidhap, P.O.- Sidhap P.S.- Ladaniya, Block - Ladaniya, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Mahtha, Block-Ladaniya, District - Madhubani.
65. Arun Kumar Mahto, Son of Late Ramvilas Mahto, Resident of Ward No. 4, C/o Aasha Mahaseth. Sarvoday Colony, P.O.- Madhubani, P.S.- Madhubani, Block - Rahika, District Madhubani, Presently posted as Assistant Teacher at Govt. PS Samaul Dusadh Toli, Madhubani, District - Madhubani.
66. Jitendra Kumar Paswan, Son of Barelal Paswan, Resident of Siswa Barhi, P.O.- Siswa Barhi, P.S.- Phulparas, Block - Phulparas, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Rajnagar, Block - Rajnagar, District - Madhubani.
67. Chandeshwar Prasad Singh, Son of Late Singheshwar Singh, Resident of village Karma via - Khajauli, P.O.- Khajauli, P.S.- Khajauli, Block Khajauli, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Makunama, Madhubani,
68. Santosh Kumar Jha, Son of Bhogendra Jha, Resident of M.S. Narpatinagar, P.O.- Narpatinagar, P.S.- Sakari, Block Pandaul, District - Madhubani, Presently posted as Assistant Teacher at Govt. MS Narpatinagar, Block Pandaul, District - Madhubani.
69. Akhilesh Prasad Singh, Son of Late Ram Sushil Singh, Resident of Village and P.O. Ektara, Via Arer Hat, P.O.- Ektara, P.S.- Arer, Block - Benipatti, District - Madhubani, Presently posted as Assistant Teacher at Govt. PS Dichkhana, Block - Benipatti, District - Madhubani.

... .. Respondent/s

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Appearance :



For the Appellant/s : Mr. Avanindra Kumar Jha, Advocate
For the Respondent/s : Mr. Sarvesh Kr. Singh (AAG-13)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

3 01-08-2025 Learned counsel for the appellants submits that the instant appeal be disposed of in terms of the judgment dated 18.01.2023 passed by a Coordinate Bench of this Court in L.P.A. No. 255 of 2022, titled as Dhananjay Singh and Ors. vs. The State of Bihar and Ors.

2. The learned counsel for the respondent-State and the private respondent do not make any objection to the prayer made by the learned counsel for the appellants.

3. The learned counsel for the appellants also submits that the facts and issues involved in this Letters Patent Appeal to be identical to L.P.A. No. 255 of 2022 and the learned counsel appearing for the respondents do not dispute it. As such, the instant appeal stands disposed of and the directions contained therein shall also govern the instant case.

(Sudhir Singh, J)

(Ramesh Chand Malviya, J)

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