

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8294 of 2016

1. Raj Kumar S/O- Ramashish Singh, Resident of Mohalla- Karbigahiya, P.S.- G.P.O. Jakkanpur, District- Patna. At present working as Incharge Headmaster of Sarvoday Middle School, Karbigahiya, Patna.
2. Manoj Chaudhary S/O- Ganesh Chaudhary, resident of village-Bhewar, P.O.- Bhewar Skariya, P.S.- Jehanabad, District- Jehanabad. At present working as Incharge Head-Master of Rajendra Bal Vikash Middle School, Chiraiyatad, District-Patna.
3. Ravi Kumar, S/O Ram Swaroop Prasad, resident of Mohalla- Bakarganj, Gola Road, P.S.- Pirbahore, District- Patna. At present working as Incharge Head-Master of Guru Govind Singh Middle School, Bakarganj, District-Patna.
4. Raj Kumar, S/O- Rameshwar Prasad, Resident of Village Raghapur, P.S.- Bihta, District- Patna. At present working as Incharge Headmaster of Aadarsh Primary School, Bihta, Patna.
5. Upendra Kumar, S/O- Sandhu Sharan Prasad, resident of village-Raghunathpur, P.O.- Damaderpur, P.S.- Nagarnausa, District-Nalanda. At present working as Incharge Head-Master, Adarsh English School, Guljarbag, Patna
6. Vikash Kumar, S/O- Ramjiwan Prasad, resident of Mohalla- Shalimpur Ahra, Gali No.1, Gandhi Maidan, P.S.- Gandhi Maidan, District- Patna At present working as Incharge Head-Master of Sarswati Central English School, Shalimpur, Patna.
7. Dinesh Sharma, S/O- Karu Sharma, resident of Mohalla-Chok Shikarpur, P.O.-Begumpur, District-Patna. At present working as Incharge Head-Master of Vivekanand Uchh Prathmik School, Chok Shikarpur, Patna.
8. Gulshan Ara, D/O Sheikh Monifuddin, resident of village- Badi Khagaul, P.S.- Khagaul, District- Patna. At present working as Incharge Head-Master of Samiti Parwandh Primary School, Janipur, P.S.- Phulwari Sharif, District-Patna.
9. Anil Kumar Anjan, S/O-Shivnandan Thakur, Resident of Village Beapur, P.S.-Maner, District- Patna. At present working as Incharge Headmaster of Shishu Vidya Niketan Ucch Prathmik Vidyalay, Maner, Patna.
10. Jitendra Kumar, S/O-Nandu Thakur, resident of Mohalla-Udaini, P.S.- Gopalpur, P.O.-Mittalchai, District-Patna. At present working as Incharge Headmaster of New Sungevoioir School, Kankarbagh, District-Patna.
11. Pankaj Kumar Sinha, S/O- Prem Bahadur Lal, resident of village-Mithapur B area. At present working as Incharge Head- Master Reshma Childran Acadmy, Khagaul, Patna.
12. Manoj Kumar Sinha, S/O- Nand Kishore Lal, resident of Mohalla- Jai Prakash Lane, New Jakkanpur, P.S.- Jakkanpur, District- Patna At present working as Incharge Head- Master of Middle School, Basantchak, Phulwari Sharif, P.S.- Phulwari Sharif, District- Patna.
13. Chhotan Kumar, S/O-Ramanuj Singh, resident of village Patoot, P.O.- Patoot, P.S.- Bidram, District- Patna. At present working as Incharge Head-Master of Laxmi Middla School, New Yarpur, District-Patna.



14. Kumari Hemlata Sinha, D/O- Prem Bahadur Lal, resident of village-Mithapur B area, P.O.- GPO, P.S.- Jakkanpur, District-Patna. At present working as Incharge Head- Master Modern Progressive Acadmy, Raja Bazar-340, District-Patna.
15. Usha Kiran, D/O- Vishwanath Prasad, Resident of Village Beapur, P.S. Maner, District- Patna. At present working as Incharge Head- Master of Rashtriya Shishu Ucch Prathmik Vidyalay, Maner, Patna.
16. Anand Kumar, S/O- Baiju Ray, resident of Mohalla- Sorangpur, P.S.- Ramkrishna Nagar, District- Patna. At present working as Incharge Head- Master of Chauhan Memorial Middle School, Kankarbagh, District- Patna.
17. Nand Kishor Prasad, S/O-Girija Prasad, Resident of Mohalla Bahadurpur Housing Colony, P.S.-Agam Kuan, District- Patna. At present working as Incharge Headmaster of Sardar Patel Middle School, Mithapur, Patna.
18. Pradeep Kumar Sharma, S/O- Sri Mathura Sharma, Resident of Village Aetwarpur, P.S.- Parsa Bazar, District- Patna. At present working as Incharge Headmaster of Sarswati Vidya Mandir Madhya Vidyalay, Kankarbagh, Patna.
19. Raghuwar Prasad, S/O- Desai Prasad, Resident of Mohalla Choti Badalpur, P.S.-Khagaul, District- Patna. At present working as Incharge Headmaster of National Childra Academy, Khagaul, Patna.
20. Rajendra Prasad Singh, S/O- Yamuna Prasad, Resident of Mohalla- Digha Ghat, P.S.-Digha, District- Patna. At present working as Incharge Headmaster of Sant Kabir Madhya Vidyalay, Digha Ghat, Patna.
21. Sheikh Monifuddin, S/O Sheikh Tamijuddin, resident of village- Badi Khagaul, P.S.- Khagaul, District- Patna. At present working as Incharge Headmaster of Maulana Mazharul Haque Urdu Primary School, Ishapur, Phulwari Sharif, P.S.-Phulwari Sharif, District- Patna.
22. Ramadhar Verma, S/O- Yogendar Verma, resident of village P.O.-Patoot, P.S.-Bikram, District-Patna. At present working as Incharge Headmaster of Rinku Middle School, Patna.
23. Ram Awadhesh Singh, S/O- Devidayal Singh, resident of village-Bhawatipur, P.O.-Belaur, P.S.-Udwant Nagar, District- Bhojpur. At present working as Incharge Headmaster of Nalanda Middle School, Kankarbagh, District- Patna.
24. Ram Kumar Sharma, S/O- Chandradeo Singh, resident of Mohalla P.O.- Patoot, P.S.-Bikram, District- Patna. At present working as Incharge Headmaster of Sunrise Shishu Primary School, Dalluchak, Khagaul, District- Patna.
25. Nawal Kishore Sinha, S/O- Dhaneshwar Prasad Verma, resident of Mohalla-Phulwari Sharir, P.O. P.S.- Phulwari Sharif, District- Patna. At present working as Incharge Headmaster of Modern Progressiv Middle School, Phulwari Sharif, Patna.
26. Manoj Kumar, S/O Bhola Prasad, resident of village-Mathura, P.S.-Bidupur, District- Vaishali. At present working as Incharge Headmaster of Jagjivan Madhya Vidyalay, Mithapur, P.S.-Jakkanpur, District- Patna.
27. Subodh Kumar Singh, S/O- Late Rameshwar Singh, resident of village-Dilawarpur Gowdharn, P.O.- Dilawarpur Gowdharn, P.S.-Bidupur, District- Vaishali. At present working as Incharge Headmaster of Rajeshwari Middle



School, Saidpur, District- Patna.

28. Bindeshwar Prasad, S/O- Late Ayodhya Prasad, resident of Mohalla- Purvi Nand Gola, P.S.-Malsalami, District- Patna. At present working as Incharge Headmaster of Ambedkar Middle School, Sabarchak, Patna City, District- Patna.
29. Umesh Prasad, S/O- Mangroo Prasad, resident of village-Imadpur, P.O.- Bauri Beldari, P.S.-Hulash Ganj, District- Jehanabad. At present working as Incharge Headmaster of Vinapani Middle School, Malsalami, District- Patna.
30. Dipali Rani Das, D/O- Pran Ballav Das, resident of Mohalla- Bangali Colony, P.S.- Vivekanant Nagar Chauk, District- Patna At present working as Incharge Headmaster of Sharat Primary School, Kallighat, Patna City, District- Patna.
31. Mukesh Sharma, S/O- Biteshar Thakur, resident of village- Pitambarpur, P.O.- Paithana, P.S.-Islampur, District-Nalanda. At present working as Incharge Headmaster of Adarsh Primary School, Aga Hussain Ka Chauraha, Patna.
32. Ram Naresh Paswan, S/O- Late Keshar Paswan, resident of village- Kakariya, P.O.- Taren Kumadi, P.S.-Jehanabad, District- Jehanabad. At present working as Incharge Headmaster of Harijan Middle School, Beldaritola, P.S- Begampur, District- Patna.
33. Ragini Kumari, D/O- Amaka Prasad, resident of village- Kolhara Bigha, P.O.- Rashisa, P.S.- Aungari, District-Nalanda. At present working as Incharge Headmaster of Subodh Middle School, New Yarpur, Patna.
34. Shiv Bahadur Singh, S/O- Sri Shyam Lal Singh, residence of village- Pitambarpur, P.S.-Islampur, District- Nalanda. At present working as Secretary of Middle School, Pitamberpur, Islampur, Nalanda.
35. Alakh Narayan Prasad, S/O- Late Ghanshyam Prasad, residence of village- Dewariya, P.S.- Ben, District- Nalanda. At present working as Secretary, Middle School, Dharhara, Rajgir, Nalanda.
36. Ranju Kumari, W/O- Sunil Kumar, resident of village- Wara, P.S. Ben, District- Nalanda. At present working as Headmaster of Middle School, Paibara, Nalanda.
37. Chandan Kumar Nishant, S/O- Mahendra Prasad Srivastava, resident of village-Nazirpur, P.S.- Ahiyapur, District-Muzaffarpur. At present working as Incharge Headmaster of Mahendra Madhya Vidyalay, Nazipur, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary -cum-Commissioner, Department of Education, Government of Bihar, New Secretariat, Patna.
3. The Director of Primary Education, Department of Education, Government of Bihar, New Secretariat, Patna.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Adv.

For the Respondent/s : Mr. Satyadeo Kumar, SC-5

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

14 25-11-2025 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners in the present writ application has prayed for the grant of following reliefs:

“(A.) For issuance of a writ in the nature of Mandamus or any other appropriate writ, order/s, direction/s commanding the Respondents pay the arrears of salary to the teaching and non teaching staffs working in the school of the petitioners recognized by the respondent-state along with 390 primary / middle schools as per the cabinet decision dated 16.01.1990 w.e.f. from 01.04.1990 and further ensure the payment of regular salary to the staffs and employee of the schools of the petitioners.

(B) For any other relief/s to which the petitioner is found entitled for.”

3. After advancing some argument, learned counsel for the petitioners submits that for claiming the aforesaid reliefs, the petitioners are ready to file a representation before the Director of Primary Education, Department of Education, Government of Bihar, Patna and therefore prays that an appropriate direction be issued to the Director of Primary Education, Department of Education, Government of Bihar,



Patna to dispose of the said representation which would be filed by the petitioners, within a fixed time frame, after giving an opportunity of hearing to the petitioners.

4. To the aforesaid prayer being made by learned counsel for the petitioners, learned counsel appearing for respondents-State does not have any objection.

5. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of granting liberty to the petitioners to file a representation before the Director of Primary Education, Department of Education, Government of Bihar, Patna within one month from the date of passing of this order, and if such a representation is filed, the Director of Primary Education, Department of Education, Government of Bihar, Patna is directed to dispose of the same within six months from the date of filing of the representation after giving an opportunity of hearing to the petitioners. Needless to emphasize that the final order which shall be passed by the Director of Primary Education, Department of Education, Government of Bihar, Patna should be a reasoned and speaking order. It is also made clear that the if the petitioners are found entitled to the relief then the same shall be given to them within a further period of six months from the date of passing of the final order.



6. With the aforesaid observation and direction and liberty as granted, the present writ application stands disposed of. Pending I.As, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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