

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3618 of 2019

In
Civil Writ Jurisdiction Case No.9999 of 2018

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1. Foto Kumar Nirala Son of Devnandan Prasad Resident of Village- Guriya, Post Office- Pakari Guriya, Police Station- Imamganj, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Berma, Anchal- Gurua, District- Gaya.
 2. Kamlesh Prasad Singh Son of Surist Narayan Singh Resident of Village- Malhari, Post Office- Aamari, Police Station- Goh, District- Aurangabad. posted and working as a Teacher in Govt. Middle School Dubba, Anchal- Gurua, District- Gaya.
 3. Pawan Kumar Prabhakar Son of Kameshwar Singh Resident of Village- Parwati, Post Office- Parwati, Police Station- Kashichak, District- Nawada. At present posted and working as an Assistant Teacher in Govt. Middle School Shivanagar, Anchal- Dumariya, District- Gaya.
 4. Anil Kumar Prabhakar Son of Kameshwar Singh Resident of Village- Parwati, Post Office- Parwati, Police Station- Kashichak, District- Nawada. At present posted and working as a Teacher in Govt. Middle School Kolhubar, Anchal- Dumariya, District- Gaya.
 5. Sanjay Kumar Son of Kishori Prasad Resident of Village- Shastri Nagar, Post Office- Rampur, Police Station- Rampur, District- Gaya. At present posted and working as a Teacher in Govt. Primary School Paharpur, Anchal- Town Block, District- Gaya.
 6. Kumar Ravikant Son of Bundi Prasad Resident of Village- Housing Board Colony, Post Office- Rampur, Police Station- Rampur, District- Gaya. At present posted and working as a Teacher in Govt. Gaya Middle School Gaya, Anchal- Nagar Nigam, District- Gaya.
 7. Mahendra Ram Son of Ghurpekhar Ram Resident of Village- Bely Chak, Post Office- Sherghati, Police Station- Sherghati, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Baligawan, Anchal- Gurua, District- Gaya.
 8. Sanjay Kumar Sharma Son of Jagdev Sharma Resident of Village- Tali, Post Office- Mocharim, Police Station- Bodhgaya, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Gudru, Anchal- Gurua, District- Gaya.
 9. Shayama Charan Son of Kameshwar Prasad Resident of Village- Sri Rampur, Post Office- Sri Rampur, Police Station- Sherghati, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Lemboiya, Anchal- Banke Bazar, District- Gaya.
 10. Satyendra Paswan Son of Ramkhelawan Paswan Resident of Village- Mahmaddpur, Post Office- Musepur, Police Station- Khizersarai, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Roaniya, Anchal- Khizer Sarai, District- Gaya.
 11. Awadhesh Kumar Son of Prabhu Singh Resident of Village- Imaliya Dih, Post Office- Imamganj, Police Station- Imamanj, District- Gaya. At present



- posted as a Teacher in Govt. Middle School Mobarakpur, Anchal- Paraiya, District- Gaya.
12. Guddu Kumar Son of Kamal Razak Resident of Village- Gol Bagicha, Post Office- R.S. Gaya, Police Station- Kotwali, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Khajuriya, Anchal- Banke Bazar, District- Gaya.
 13. Dharni Shankar Son of Dev Charan Resident of Mohalla- Gautam Nagar, Post Office- Chandauti, Police Station- Chandauti, District- Gaya. At present posted and working as a Teacher in Govt. Urdu Middle School Dubhal, Anchal- Imamganj, District- Gaya.
 14. Md. Asim Zafar Son of Abdul Hafiz Resident of Village- Chhata Masjid, Post Office- HPO Gaya, Police Station- Kotwali, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Shahwazpur, Anchal- N. Prakhand, District- Gaya.
 15. Vinay Paswan Son of Kuleshwar Paswan Resident of Village- Khiriyawan Waidchak, Post Office- Mohanpur, Police Station- Mohanpur, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Narayanpur, Anchal- Dumariya, District- Gaya.
 16. Indira Kumari Daughter of Late Satendra Narayan Singh Resident of Village- Ramdhani Nagar Mustafabad, Police Station- Rampur, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Kaler, Block- Nagar Nigam, District- Gaya.
 17. Indradev Paswan Son of Sukhari Paswan Resident of Village- Sonbarsa, Post Office- Bhadeya, Police Station- Barachatti, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Banch, Anchal- Barachatti, District- Gaya.
 18. Nand Kishor Chaudhary Son of Ramdhani Chaudhary Resident of Village- Bihar Gai, Post Office- Chogai Bhaluhar, Police Station- Roshanganj, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Dhongila, Anchal- Banke Bazar, District- Gaya.
 19. Ramswarup Das Son of Jagdish Das Resident of Village- Bar, Post Office- Hussainganj, Police Station- Sherghati, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Dhabchiraiya, Anchal- Sherghati, District- Gaya.
 20. Shardanand Prasad Son of Baiju Prasad Resident of Village- Gehlaur, Post Office- Are, Police Station- Atri, District- Gaya. At present posted and working as a Teacher in Govt. Middle Sonra, Anchal- Mohra, District- Gaya.
 21. Ashok Kumar Son of Vimal Resident of Village- Kharkhura, Post Office- Delha, Police Station- Delha, District- Gaya. At present posted and working as a Teacher in Govt. Middle School Manjhiyawan, Anchal- Konch, District- Gaya.
 22. Anuj Prasad Son of Mahavir Mahto Resident of Village- Seedh, Post Office- Seedh, Police Atri, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Riula, Anchal Mohra, District- Gaya.
 23. Kaushal Kumar Son of Mathura Prasad Resident of Mohalla- Dhandawa Teacher Gali, Post Office- Bodhgaya, Police Station- Bodhgaya, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School



Vishunpura, Anchal- Sherghati, District- Gaya.

24. Amit Kumar Son of Kapildev Singh Resident of Village- Badki Delha, Post Office- R.S. Gaya, Police Station- Delha, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Jiri, Anchal- Atri, District- Gaya.
25. Kumari Nutan Wife of Krishna Murari Sharma Resident of Village- Lakhibagh, Post Office- Buniyadganj, Police Station- Manpur, District- Gaya, At Present Posted and Working as a Teacher in Govt. S.A.V. Middle School Sanyas Ashram, Anchal- Manpur, District- Gaya.
26. Bindu Rani Wife of Kundan Kumar Mastana Resident of Village- Chhoti Pali, Post Office- Chhoti Pali, Police Station- Narhat, District- Nawada, At Present Posted and working as a Teacher in Govt. Middle School Nima, Anchal- Nagar Nigam, District- Gaya.
27. Kundan Kumar Mastana Son of Suresh Chandra Prasad Resident of Village- Chhoti Pali, Post Office- Chhoti Pali, Police Station- Narhat, District- Nawada, At Present Posted and Working as a Teacher in Govt. Middle School Barah Moriya, Anchal- Dobhi, District- Gaya.
28. Saroj Kumari Singh Daughter of Dharambir Singh Resident of Mohalla- Ram Nagar Colony, Post Office- Rampur, Police Station- Rampur, District- Gaya, At Present Posted and working as a Teacher in Govt. Kanya Middle School Rampur, Anchal- Nagar Nigam, District- Gaya.
29. Md. Naushad Son of Md. Jalil Resident of Village- New Shanti Bagh, Post Office- Karimganj, Police Station- Civil Line, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Bathani Guraru, Anchal- Guraru, District- Gaya.
30. Uday Kumar Son of Shivshankar Paswan Resident of Village- Bageshwari, Post Office- R S Gaya, Police Station- Delha, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Girdhara, Anchal- Guraru, District- Gaya.
31. Manoj Kumar Son of Ram Prasad Resident of Village- Mahuri Tola, Post Office- Shekhapura, Police Station- Shekhapura, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Girdhara, Anchal- Guraru, District- Gaya.
32. Ajay Ram Son of Mahavir Ram Resident of Village- Padrawan, Post Office- Bhimpur Manjhiyawan, Police Station- Konch, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Sarewa, Anchal- Guraru, District- Gaya.
33. Arvind Kumar Son of Indradev Ram Resident of Village- Bhaluahi Kharkhura, Post Office- R S Gaya, Police Station- Delha, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Raudamath, Anchal- Guraru, District- Gaya.
34. Md Rafi Alam Son of Md. Hafiz Resident of Village- Nadraganj, Post Office- Gaya, Police Station- Kotwali, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Asni Guraru, Anchal- Guraru, District- Gaya.
35. Damodar Manjhi Son of Darogi Manjhi Resident of Village- Damodarpur, Post Office- Damodarpur, Police Station- Lakhi Sarai, District- Gaya, At



- Present posted and Working as a Teacher in Govt. Middle School Menka, Anchal Banke Bazar, District- Gaya.
36. Jitendra Kumar Son of Sukhdev Chaudhary Resident of Village- Tilaiya, Post Office- Tilaiya, Police Station- Banke Bazar, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Nawadih, Anchal- Banke Bazar, District- Gaya.
 37. Ramswarup Singh Son of Kapildev Singh Resident of Village- Jondih, Post Office- Banke Bazar, Police Station- Banke Bazar, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Majuri khurd, Anchal- Banke Bazar, District- Gaya.
 38. Shankar Prasad Son of Janki Saw Resident of Village- Tilaiya, Post Office- Tilaiya, Police Station- Banke Bazar, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Belbatand, Anchal Banke Bazar, District- Gaya.
 39. Suresh Ram Son of Ram Jatan Ram Resident of Village- Mahuet, Post Office- Gharaiya, Police Station- Wazirganj, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Imaliyachak, Anchal- Atri, District- Gaya.
 40. Arvind Kumar Son of Ramratan Singh Resident of Village- Mustafabad, Post Office- Rampur, Police Station- Rampur, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Dhangain, Anchal- Barachatti, District- Gaya.
 41. Binod Kumar @ Vinod Kumar Son of Bhagirath Singh Resident of Village- Thekahi, Post Office- Bahsa Pipra, Police Station- Tankuppa, District- Gaya, At Present Posted and Working as a Teacher in Govt. Urdu Middle School Hamjapur, Anchal Amas, District- Gaya.
 42. Sanjeet Kumar Singh Son of Kameshwar Singh Resident of Village- Amas Bara, Post Office- Bara, Police Station- Amas, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Bijua, Anchal- Dumariya, District- Gaya.
 43. Vishnuji @ Bishunji Son of Tengri Ram Resident of Village- Manjhauli, Post Office- Manjhauli, Police Station- Manjhauli, District- Rohtas, At Present Posted and Working as a Teacher in Govt. Middle School Vikopur, Anchal- Imamganj, District- Gaya.
 44. Mithilesh Ram Son of Maji Ram Resident of Village- Ganga Bigha, Post Office- Dema Fatehpur, Police Station- Khizer Sarai, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Bhokha, Anchal- Dumariya, District- Gaya.
 45. Sakaldeep Ram Son of Darshan Ram Resident of Village- Harli, Post Office- Harli, Police Station- Badka Gawan, District- Hazari Bagh, At Present Posted and Working as a Teacher in Govt. Middle School Ramdohar, Anchal- Dumariya, District- Gaya.
 46. Nilesh Kumar Singh Son of Rajendra Prasad Singh Resident of Village- Chand Chaura, Post Office- Chand Chaura, Police Station- Civil Line, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Dhamna, Anchal- Barachatti, District- Gaya.
 47. Badrinath Prajapati Son of Rambharosha Prajapati Resident of Village-



Bishunganj, Post Office- Civil Aerodram, Police Station- Magadh Medical, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Saraitand, Anchal- Gurua, District- Gaya.

48. Arjun Das Son of Faghuni Das Resident of Village- Bharari, Post Office- Sherghati, Police Station- Sherghati, District- Gaya, At Present Posted and working as a Teacher in Govt. Middle School Nadiyawan, Anchal- Gurua, District- Gaya.
49. Birendra Kumar Son of Mundrika Thakur Resident of Village- Chhanchh, Post Office- Moratal, Police Station- Bodhgaya, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Jai Prakash Nagar, Anchal- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mr. R.K. Mahajan, The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. Mr. Rahul Singh, The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. Mr. Arvind Kumar, the Director, Primary Education, Government of Bihar, Patna.
5. Mr. Mustafa Hussain Mansuri, the District Education Officer, District- Gaya.
6. Mr. Raj Deo Ram, the District Programme Officer (Establishment), District- Gaya.
7. Mr. Janardan Ram, the Sub- Inspector of School, (Block Education Officer), Gaya Town, Gaya.
8. Mr. Janardan Ram, the Block Education Officer, Belanganj, District- Gaya.
9. Mr. Rakesh Kumar Sinha, the Block Education Officer, Mohanpur, District- Gaya.
10. Mr. Ram Chandra Prasad, the Block Education Officer, Sherghati, District- Gaya.
11. Mr. Ram Sewak Ram, the Block Education Officer, Imamganj, District- Gaya.
12. Mr. Kedar Rajak, the Block Education Officer, Wazirganj, District- Gaya.
13. Smt. Manju Kumari, the Block Education Officer, Manpur, District- Gaya.
14. Smt. Gayatri Kumari, the Block Education Officer, Khizar Sarai, District- Gaya.
15. Mr. Kedar Rajak, the Block Education Officer, Atari, District- Gaya.
16. Smt. Gayatri Kumari, the Block Education Officer, Mohra, District- Gaya.
17. Mr. Kedar Rajak the Block Education Officer, Fatehpur, District- Gaya.
18. Mr. Ram Sewak Ram, the Block Education Officer, Dumaria, District- Gaya.
19. Mr. Shailendra Kumar, the Block Education Officer, Bodh- Gaya, District- Gaya.



20. Mr. Ram Chandra Prasad, the Block Education Officer, Barachatti, District- Gaya.
21. Mr. Dev Dayal Rekha, the Block Education Officer, Amas, District- Gaya.
22. Mr. Mahesh Das, the Block Education Officer, Gurua, District- Gaya.
23. Mr. Pravin Kumar, the Block Education Officer, Konch, District- Gaya.
24. Mr. Daya Nand Ram, the Block Education Officer, Tekari, District- Gaya.
25. Smt. Gayatri Kumari, the Block Education Officer, Bathani, District- Gaya.
26. Mr. Rakesh Kumar Sinha, the Block Education Officer, Tankuppa, District- Gaya.
27. Mr. Dev Dayal Rekha, the Block Education Officer, Banke Bazar, District- Gaya.
28. Mr. Pravin Kumar, the Block Education Officer, Paraiya, District- Gaya.
29. Mr. Shailendra Kumar, the Block Education Officer, Dobhi, District- Gaya.
30. Mr. Mahesh Das, the Block Education Officer, Guraru, District- Gaya.
31. Mr. Manoj Kumar, the District Accounts Officer, District- Gaya.
32. Mr. Rakesh Kumar, the District Treasury Officer, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Roy 1, SC-13

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

5 25-07-2025 Heard Mr. Umesh Kumar Mishra, learned counsel appearing on behalf of the petitioners and Mr. Jitendra Kumar Roy1, learned SC-13 appearing on behalf of the State.

2. This contempt petition has been filed alleging violation of the order dated 19.07.2018 passed in C.W.J.C. No. 9999 of 2018, wherein the following order was passed:

“...It has been submitted that the case of the petitioners is squarely covered by the order dated 31.03.2011 passed in C.W.J.C. No.



6139 of 2007, order dated 16.08.2017 passed in L.P.A. No. 756 of 2015 and order dated 01.11.2017 passed in C.W.J.C. No. 14670 of 2014.

The respondent No. 6 i.e. The District Programme Officer (Establishment), District Gaya is directed to examine the case of the petitioners in the light of the cases as referred above and dispose of the case of the petitioners in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

If the petitioners are entitled to the reliefs sought for, the respondents will be obliged to pass an order taking into account the Clause 4. (C)(1) of the State Litigation Policy.

With the aforesaid observation and direction, the present writ application stands disposed of.”

3. Opposite Party No. 6 – the District Programme Officer (Establishment), District-Gaya has filed a show cause, wherein, in paragraph no. 3 it has been stated as under:

“3. That in the present context it is respectfully submitted that the order passed in the connected writ



petition had been complied in as much as it was after due consideration of the representation filed by the writ petitioners as well as after taking into consideration the matter in its totality a reasoned order vide Memo No. 516 dated 07.02.2019 had been passed; whereby cases of 165 writ petitioners were found to be covered with the ratio laid down in CWJC No. 6319 of 2007 and LPA No. 756 of 2015, hence had been allowed whereas cases of 49 writ petitioners were found to be distinguishable i.e. not covered with the ratio laid down in CWJC No. 6139 of 2007 and LPA No. 756 of 2015, and hence their claims were rejected vide order dated 07.02.2019. The aforesaid order dated 07.02.2019 has already been brought on record by the petitioners as Annexure 4”

4. On perusal of paragraph no. 3 of the show cause filed by the O.P. No. 6 – the District Programme Officer (Establishment), District-Gaya as extracted hereinabove, I find that the order dated 19.07.2018 passed in C.W.J.C. No. 9999 of 2018 has been complied with by the O.P. No. 6 – the District Programme Officer (Establishment), District-Gaya.



5. Accordingly, the contempt petition stands closed
and disposed off.

(Nani Tagia, J)

Nilmani/-

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