

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.885 of 2025

1. Rakesh Prasad son of Late Gupteshwar Ram, resident of village- Ishak Bigha, P.S.- Pouthu, District- Aurangabad
2. Vikash Kumar son of Late Pankaj Kumar Singh resident of village- Indrar, P.S.- Pouthu, District- Aurangabad.
3. Md. Masihur Rahman son of Late Rezaur Rahman resident of village- Kasma, P.S.- Kasma, District- Aurangabad.
4. Sriom Kumar son of Late Mithilesh Prasad Singh resident of village- Malwan, P.S.-Khudawan, District- Aurangabad.
5. Brajesh Kumar son of Late Bheshnarayan Yadav resident of village- Akbarpur, P.S.-Daudnagar, District- Aurangabad.
6. Dhiraj Kumar Singh son of Late Munib Singh resident of village- Chamardiha, P.S.- Aurangabad, District- Aurangabad.
7. Ahmad Raja son of Late Zafar Alam resident of village- Azad Nagar, Ward No. 14, P.S.- Aurangabad, District- Aurangabad.
8. Rakesh Kumar Singh son of Late Bashishth Singh resident of village- Amba Road, Deo, P.S.- Deo, District- Aurangabad.
9. Ashwani Kumar Gautam son of Late Nand Kumar Sharm resident of village- Gaini, P.S.- Khudawa, District- Aurangabad.
10. Abhay Kumar Pandey son of Late Ramchandra Pandey, resident of village- Mali Tola, P.S.- Daudnagar, District- Aurangabad.
11. Sarvadaman Kumar son of Late Ramanuj Sharma resident of village- Sri Krisha Nagar, Near Krishna Kunj, P.S.- Aurangabad, District- Aurangabad.
12. Anil Kumar Shastri son of Late Vijay Bahadur resident of village- Sonpurwa Chhibbi, P.S.- Rasra, District- Balia (U.P.).
13. Ravi Ranjan Kumar son of Late Sita Ram Chaudhary resident of village- Chatti Bazar, P.S.- Deo, District- Aurangabad.
14. Kumar Saurav son of Late Naresh Prasad Singh resident of village- Salaiya, P.S.- Salaiya District- Aurangabad.
15. Deobrat kumar Singh son of Late Shivnandan Singh resident of village- Nabinagar, P.S.- Nabinagar, District- Aurangabad.
16. Arun Kumar son of Late Anugrah Ram resident of village- fulwariya, P.S.- Kutumba, District- Aurangabad.
17. Rajiv Ranjan Kumar son of Late Ram Narayan Singh resident of village- Basdiha Gopal, P.S.- Kutumba, District- Aurangabad.
18. Akshay Kumar Suman son of Late Saryu Ram resident of village Deoiara, P.S.- Madanpur, District- Aurangabad.
19. Md. Equbal Ansari son of Late Md. Allauddin Ansari resident of village- Ranjan Market Madanpur, P.S.- Madanpur, District- Aurangabad.
20. Ram Binay Prasad son of Late Ganesh Prasad resident of village- Chouri, P.S.- Daudnagar, District- Aurangabad.



behalf of the petitioners and Mr. Y. P. Sinha, learned AAG 07 appearing on behalf of the State.

2. The petitioner in paragraph no. 1 of the present writ petition has sought, *inter alia*, the following relief(s), which is reproduced hereinafter:-

“I. To command the respondents for promotion the petitioners to post of Class III from class IV against reserve vacancies.

II. To command for promotion of the petitioners against vacant/sanction post of Clams-III as the petitioners are working against the post of Class-IV since last 12/13 years in different Government High Schools in Aurangabad district and they also fulfilled all eligibility criteria for promotion against the vacant post of Class-III in Government High Schools of Aurangabad district.

III. And for any other relief/ reliefs for which the petitioners are found to be entitled in the eye of law.”

3. Mr. D. K. Sinha, learned Senior counsel, along with Mr. Alexander Ashok, learned counsel appearing on behalf of the petitioners informs this Court that *vide* order dated 22.03.2022 passed in CWJC No.12 of 2021, the writ petition was disposed of and it was observed that if an appeal is preferred before the District Appellate Authority/State Appellate Authority, the same shall be decided within a period of three months. The petitioners, thereafter, preferred an appeal before the State Appellate Authority and *vide* order dated 14.12.2022 passed in O.A. No.513/2022 (Annexure -P/8) learned tribunal directed the District Education Officer concerned to redress the



grievances of the petitioners by taking a decision well within a period of six months. However, the District Education Officer, Aurangabad is sitting tight over the matter and had not taken any steps to redress the grievances of the petitioners and has also disobeyed the order passed by the State Appellate Authority.

4. Considering the aforesaid submission and information given on behalf of the petitioners, this Court finds that on account of deliberate act on the part of the District Education Officer, who, by delaying to comply with the direction of the learned Tribunal for 2 years, has not redressed the grievance of the petitioners.

5. I direct the Additional Chief Secretary to seek all the relevant particulars relating to the petitioners from the District Education Officer, Aurangabad and seek show cause from him to explain, as to why, he has not immediately taken-up any steps to comply with the order passed by the State Appellate Authority. If required, the Respondent No.3 may also proceed to take appropriate action against the District Education Officer, in accordance with law.

6. As the direction has been specifically given to the District Education Officer, the Additional Chief Secretary,



Education Department, Government of Bihar must ensure that the order dated 14.12.2022 passed in O. A. No.513 of 2022 is complied forthwith, thereafter, he will inform the same to all the petitioners, well within, a period of three weeks, from the date of communication of this order.

7. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J.)

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