

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4377 of 2026

1. Neeraj Kumar son of Sri Madan Mohan Prasad Sinha, resident of near Alamganj Chowki, P.O. Gulzarbagh, P.S. Alamganj, District - Patna.
2. Prem Prakash son of Late Ravindra Nath, resident of Village - Bhadari, P.S. - Silao, District Nalanda.
3. Dheraj Kumar son of Shree Arun Kumar, resident of Akbarpur, P.S. - Paliganj, District Patna.
4. Amar Deep Pandey son of Late Harihar Nath Pandey, resident of Gaighat, Kharakuan, P.O. Gulzarbagh, P.S. Alamganj, District - Patna.
5. Harshbardhan Prasad son of Late Mahabit Prasad, resident of Rosalpur, Jagai, P.S.- Aungari Dham, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Deputy Director, Secondary Education, Government of Bihar, Patna.
5. The Regional Deputy Director Education, Gaya.
6. The District Programme Officer (Establishment), Gaya.
7. The Deputy Development Commissioner cum Chief Executive Officer, Gaya.
8. The Zila Prishad, Gaya through its Chiarman, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Respondent/s : Mr. Additional Advocate General (4)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 30-03-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-



(i) For direction upon the respondents to also consider the case of the petitioners along with the similar Writ Petition No. 2996/18 and cases of other petitioners who are also similarly situated as they also applied for the post of Librarian in the same advertisement.

(ii) For direction upon the respondents to appoint the petitioners on the post of Librarian in Zila Parishad Gaya.

(iii) For issuance of writ in the nature of mandamus directing the commanding the respondents to fill up the sanction / vacant post of Librarian in the different Zila Parishad Secondary/Higher Secondary school as well as Zila Parishad Corporation/ Nagar Parishad, Secondary/ Higher Secondary school by the petitioners who have qualified and occupied employment Unit of a District.

(iv) For issuance writ nature of mandamus directing and commanding respondents restrain candidates who were appointed Librarian earlier after appearing in subsequent counseling due to which said appointments are being adversely affected and further to allow those candidate to appear the counseling for the post Librarian who have not been provided any opportunity for appearance in the appointment process held in the year 2008.

(v) For any other reliefs in the facts and circumstances of this case.

3. It is the case of these petitioners that the petitioners had applied for the post of Librarian under the same advertisement and this issue has already been adjudicated at the level of Hon'ble Supreme Court in the case of Naushad Anwar and Others v. The State of Bihar and Others, passed in Civil



Appeal No. 4270 of 2014, arising out of S.L.P.(C) No.10964 of 2010, and for similar relief, representation has also been filed before the authorities which has, till date, not been adjudicated and appropriate directions in similar terms has been passed on the similar applications having been filed by similarly situated persons in C.W.J.C. No.2996 of 2018, the petitioner's case may also be directed to be adjudicated in similar terms.

4. On the other hand, learned counsel for the State also submits that if similar matters have already been adjudicated and orders have been passed by the appropriate authorities, in terms of the judgment rendered by the Hon'ble Supreme Court, the petitioner's case may also be directed to be considered by the appropriate authorities in similar terms, if the case is found to be genuine and falling within the parameters prescribed in the aforementioned case.

5. Considering the fact that there is already a representation filed before the Director, Secondary Education, which as per the objections of the learned counsel for the State, the same was required to have been filed before the respondent No.8, the Zila Parishad, Gaya, who is the competent authority to adjudicate the claim in question, accordingly, this Court directs this petitioner to file an appropriate representation before the



respondent No.6, giving details of the services rendered and as also the judgment which he proposes to rely upon and upon filing of the same, the Respondent No.8 shall adjudicate the claim of the petitioner in accordance with law, within a period of eight weeks and decision so taken shall be communicated to the petitioner within the same time.

6. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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