

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8276 of 2025

1. Munjee Singh Son of Bihari Singh, Resident of Village-Khargpura, P.S. Sikraul, District- Buxar, presently posted and working as Assistant Teacher, Mangan Kanya Madhya Vidhyalaya Chhapkahi Supaul, District- Supaul.
2. Priyanka Kumari Wife of Shri Naresh Sardar, Resident of Village-Balabakhar Gahuma beraiya, P.S. Fulparas, District- Madhubani, Presently posted and working as Assistant Teacher, Mangan Kanya Madhya Vidhyalaya Chapkahi Supaul, District- Supaul.
3. Annu Kumari Wife of Chandan Kumar, Resident of Village-Dhamsaini Ward No. 08, Solindabad Saharsa, P.O. and P.S.- Saharsa, District- Saharsa presently posted and working as Assistant Teacher Mangan Kanya Madhya Vidhyalaya Chhapkahi Supaul, District- Supaul.
4. Juhi Jaiswal Daughter of Shiv Shankar Prasad, Resident of Road No.01 Pratap Nagar No. 07, Mahsaul Urf Rampur Lachmi, Sitamarhi, Bazar Sitamarhi Dumra, P.S. Sitamarhi, District-Sitamarhi presently posted and working as Assistant Teacher, Mangan Kanya Madhya Vidhyalya Chhapkahi, Supaul, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary Department of Education cum Additional Chief Secretary Education Government of Bihar, Patna.
3. The Secretary Education Department, Government Bihar, Patna.
4. The Director Primary Education, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Singh, Adv.
For the Respondent/s : Mr. Akhileshwar Singh, AC to GA-2

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-01-2026 Heard the parties.

2. The petitioners have approached this Court, seeking a declaration to hold that the petitioner school is a Non-Government Middle School, established and recognized by the competent authorities much before the cut-off dates i.e.



01.01.1971 and taken over by the State Government. Besides the aforesaid relief, the petitioner has also challenged the order contained in memo no. 740 dated 09.07.2019 passed by the Additional Chief Secretary, Department of Education whereby the payment of salary and allowances to the petitioners and other identically situated teachers of Mangan Kanya Madhya Vidhyalaya Chapkahi, Supaul as well as other schools have been turned down.

3. Without delving into the merits of the case learned Advocate for the petitioners submits that the case of the petitioners is squarely covered by the judgment by the order passed by the Court in C.W.J.C. No. 5278 of 2005 and other analogous cases duly reported in **2007 (Suppl.) PLJR 337**.

4. Learned Advocate for the State opposed the prayer for the petitioners and submits that besides the fact the petitioners have approached this Court much belatedly, identical issues were considered by different Bench of this Court and the claim of the petitioners and other identically situated persons have been turned down.

5. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the limited submission of the petitioners that the case of the



petitioners is squarely covered with C.W.J.C. No. 5278 of 2005 and other identically situated persons who have approached this Court for identical relief in C.W.J.C. No. 18877 of 2024, they have been extended liberty to approach before the concerned authorities by filing an appropriate representation alongwith the order passed in C.W.J.C. No. 5278 of 2005, the present writ petition is also disposed off in identical terms directing the petitioner to file a detailed representation alongwith the supporting documents and the order passed in C.W.J.C. No. 5278 of 2005 before the respondent no. 2, preferably within a period of four weeks' from today.

6. In case such a representation is filed, the same shall be considered and disposed off by a reasoned and speaking order.

7. Suffice it to observe that if the claim of the petitioners find favour, necessary consequential order shall be passed, preferably within a further period of twelve weeks'.

8. The writ petition stands disposed off.

(Harish Kumar, J)

supratim/-

U			
---	--	--	--

