

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8704 of 2026

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Ashok Kumar Thakur Son of Late Yogendra Thakur, Resident of Village-
Chhoti Madai, P.O.- Hajipur, P.S. Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The Deputy Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
4. The District Education Officer, Vaishali.
5. The District Programme Officer (Establishment), Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh, Adv. Mr. Prashant Kumar, Adv.
For the Respondent/s	:	Mr. Rajeshwar Singh, GA10 Mr. Jitendra Kumar, AC to GA10

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 29-06-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

*“1) That, this writ petition is for direction to
respondents for grant of same and similar
treatment and extension of benefits as granted by
this Hon’ble Court in C.W.J.C. No. 15663 of 2022
vide order-dated 08.12.2025 regarding seniority,
annual increment, ACP etc., which were extended
to their counterparts but unfortunately he was
denied when his claims are based on same and
similar footings, which attracts the 'Right of*



Equity', which is the theme of Constitution and additionally such exercise of power is divorce with ratio decided by Hon'ble Apex Court in case of Ashwani Kumar & Ors. Versus The State of Bihar & Ors. reported in A.I.R. 1997 SC 1628 in Para 17 had clearly held that all persons similarly situated whether they had moved the Court or not, must be similarly treated and those who were waiting in the wings, which cannot be denied the relief, which is granted by the Court unless relief is personal to the person and similar in the provision of Clause 4C (1) of Bihar State Litigation Policy, 2011 and for other necessary relief/reliefs on the basis of facts and circumstances of the case as stated, enumerated and discussed hereinafter."

3. Learned Counsel for the petitioner submits that his case is squarely covered by judgment of Hon'ble Supreme Court in the case of **Balwant Singh Narwal and Ors. v. State of Harayana and Ors** reported in **(2008) 7 SCC 728** and it is the case of the petitioner that relying upon the Hon'ble Apex Court judgment, the Co-ordinate Bench has also decided several cases, one of such case interference given by the Co-ordinate bench in the case of **Santosh Kumar and Others v. The State of Bihar and Others, C.W.J.C. No. 15663 of 2021**, has been appended with writ petition as Annexure-P/4 and in the light of aforesaid judgments, the petitioner is said to have filed representation



seeking redressal of his grievances with respect to acceptance and joining in terms of the judgment dated 28.08.2023 passed in LPA No. 1254 of 2016 but, unfortunately, the petitioner failed to get justice at the hands of the respondent authorities.

4. On the other hand, learned counsel for the State does not dispute the factual position and submits that the issues may be directed to be adjudicated.

5. Considering the aforesaid stand of the parties, this Court directs the petitioner to file a fresh representation in continuation to the earlier representation, which is appended with the writ application as Annexure P/5, before the District Education Officer, Vaishali (Respondent No.4) within a period of two weeks from today which shall be adjudicated within a further period of eight weeks in light of the judgment passed by the Hon'ble Apex Court and the judgment passed by the Co-ordinate Bench, which has been appended with the writ petition as Annexure-P/4.

6. With the aforementioned observation and direction, the writ petition stands disposed of.

(Ajit Kumar, J)

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