IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15741 of 2026

CNR No. BRHC010972022026

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1. Sukh Sharan Singh, son of late Ghogho Prasad Singh, Resident of Village- Tedhari, Thakurganj, Post Office- Jiyapokhar, Police Station Jiyapokhar, District- Kishanganj.
2. Jalal @ Jalaluddin son of Thakurganj, Late Jan Mohammad, Resident of Village Amtola, Post Office- Ruidhasa, Police Station District - Kishanganj.
3. Md. Anwarul Haque, son of Late Alimuddin, Resident of Village Mukari, Post Office- Piprithan, Police Station Kurlikort, District - Kishanganj.
4. Faud Lal Ganesh, Son of Sarju Lal Ganesh, Resident of Village - Bhola Bhitta. Post Office Police Station Thakurganj, District Kishanganj.
5. Jay dev Prasad Singh, Son of Panchu Lal Singh, Resident of Village Bhendrani, P.O. and P.S. - Jiyapokhar, District - Kishanganj.

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Patna.
4. The Joint Secretary, Education Department, Govt. of Bihar, Patna.
5. The Director, Secondary Education, Govt. of Bihar, Patna.
6. The Director, Primary Education, Bihar, Patna.
7. The Deputy Director, Education Department, Govt. of Bihar, Patna.
8. The Regional Deputy Director of Education, Purnia Division, Purnia.
9. The District Magistrate, Kishanganj.
10. The Deputy Development Commissioner, Kishanganj.
11. The Deputy Collector (Establishment), Kishanganj.
12. The District Education Officer, Kishanganj.
13. The District Programme Officer, Kishanganj.

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate

For the Respondent/s : Mr. Sunil Kumar Mandal, AAG-12

: Ms. Bittu Kumari, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 27-10-2026

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Heard learned Counsel for the petitioners and learned Counsel for the State.

2. The present writ petition has been filed by the petitioner with the following reliefs:

> "*I. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to consider the case of the petitioners for their absorption on class -IV post as all the petitioners had discharged their duties for more than three years under Non formal Education Programme in the district of Kishanganj but in spite of fulfilling all the eligibility criteria, they have not been absorbed in service till date.*
>
> *II. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to take a positive decision for absorption of the petitioners in the light of several orders passed by this Hon'ble High Court, as all the petitioners have undisputedly discharged their duties as Instructors under the Non-Formal Education Programme for more than the benchmark period of three years, possess valid experience certificates from the District Programme Officer (Literacy), Kishanganj, and have completed the requisite Special Education Training. Hence, they fulfill all eligibility criteria for absorption.*

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> *III. For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner will be found entitled in the facts and circumstances of the case.*"

3. Learned Counsel for the petitioners submits that petitioners had earlier moved before this Hon'ble Court in CWJC No. 16606 of 2021 which was disposed of vide order dated 07.02.2024, thereafter, the petitioners have filed an application before the District Education Officer, Kishanganj thorugh one Ms. Priya Bharti, Assistant Director, Jan Siksha (as contained in Annexure- P/9). Counsel submits that Annexure-P/9 is the basis on which the petitioners are seeking the relief.

4. Learned Counsel for State seeks time to file counter affidavit. It transpires to this Court that for the purpose of deciding the present writ petition, the observation made by this Hon'ble Court is very much necessary which is annexed as Annexure-P/8. The observation of Hon'ble High Court is as follows:

> "*The learned counsel for the petitioners submits that the issue under consideration in the present petition has already stood decided by a judgment rendered by the learned Division Bench of this Court in Civil Review No.59 of 2018, hence the present writ*

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petition has been rendered infructuous, thus the same be disposed off.

2. Accordingly, the present writ petition stands disposed off."

5. In the light of the observation made by a co-ordinate Bench of this Hon'ble Court in which the petitioners were also the parties, this Court finds that no interference is required in this writ petition. Accordingly, the present writ petition stands dismissed.

(Dr. Anshuman, J)

Anjali/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.10.2026
Transmission Date	NA

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