IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1307 of 2023
In
Civil Writ Jurisdiction Case No.9526 of 2017

CNR No. BRHC011096722023

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1. Perwaiz Alam son of Md. Jabir Hussain, Resident of Village-Maheshua, Ward No. 15, P.S. Triveniganj, Babhanganwa, District-Supaul, Bihar-852139.
2. Md. Mohiuddin son of Md. Hanif, Resident of Ward No. 4, Atalkha, Belahi, P.s.-Semaria, P.S. Supaul, District-Supaul, Bihar-852218.
3. Md. Jayauddin, son of Md. Jahiraudin, Resident of Siwasingpur, P.S.-Mohiuddin Nagar, District-Samastipur, Bihar-848502.
4. Abdul Wahab Son of Nur Mohammad, Resident of Ward No. 13, Chituani, P.s.-Chillauni, District-Supaul, Bihar-852125.
5. Bihar State Dini Maqtab Union, Patna through its President, Md. Faruque, aged about 50s years, Son of Md. Murtaja,resident of ward No.05, Madhura, Tharbitia, P.s.-Chauhatta, District- Supaul, Bihar-852138.
6. Md. Nurul Hoda, Son of Md. Raees, Resident of Madudabad, P.S.-Maduduabad, District-Samastipur, Bihar-848502.
7. Md. Sanfaroj Alam, son of Md. Sahabudin, Resident of Village-Karim Nagar, P.S.-Mohiuddin Nagar, District-Samastipur, Bihar-848501.
8. Shamim Halder, son of Mohammd Abbas Ansari, Resident of Ward No. 7, P.S.-Kewta Patti, District-Supaul, Bihar-852138.
9. Mohammd Muntaj, son of Md. Idrish, Resident of Harpur Rewari, P.S.-Town, District-Samastipur, Bihar-848134.
10. Hafiz Md. Ehsan, son of Mohammad Noor, Resident of Ward No. 6, Gopalpur, P.S.-Kalyanpur District-Samastipur, Bihar-848102.
11. Mohammd Mahtab Alam, son of Md. Fool Hasan, Resident of Ward No. 2, Madhopur, P.S.-Digharua, District-Samastipur, Bihar-848122.
12. Mahe Roo, Wife of Md. Mahtab Alam, Resident of Ward No. 2, Madhopur, P.S.-Digharua, District-Samastipur, Bihar-848122.
13. Md. Rahim Ansari, son of Abdul Rahman Ansari, Resident of ward No. 1, Sukha Nagar, P.S.-Pratapganj, District-Supaul. Bihar-852125.
14. Abdul Munim, Son of Mashihur Rahman, Resident of Islampur, Ward No. 01, P.S.-Pratapganj, District-Supaul, Bihar-852125.

... ... Appellant/s

Versus

1. The State of Bihar through the Principle Secretary, Department of Education, Government of Bihar, Patna.
2. The Principle Secretary, Department of Education, Government of Bihar, Patna.

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3. The Director, Department of Education, Government of Bihar, Patna.
4. The Director, Mass Education-cum-Joint Secretary, Bihar, Patna.
5. Sakim, Son of Muddi, Resident of Village- Berdah, Block-Raghopur, District- Supaul.
6. Nikhat Ara, Son of Md. Akim, Resident of Village- Thathi Bhawanipur, Block- Pipara, District- Supaul.
7. Md. Amiruddin, Son of Lal Mohammad, Resident of Village- Gangapatti, Block and District- Supaul.
8. Md. Rafiq Alam, Son of Ahmad Ali, Resident of Pathara, Block- Pipara, District- Supaul.
9. Md. Gulam Rabbani, Son of Md. Taslim, Resident of Village- Rajpur, Block- Kishanpur, District- Supaul.
10. Md. Minutullah, Son of Md. Aarif, Resident of Village-Maheshpur, Block and District- Supaul.
11. Md. Hasim, Son of Md. Usman, Resident of Village-khunt, Block-Triveniganj, District- Supaul.
12. Md. Jahangir, Son of Md. Ekrainul Haque, Resident of Village- Narapat Patti, Block- Basantpur, District- Supaul.
13. Md. Nurullah Alam, Son of Md. Dilzan, Resident of Village- Jhilladumari, Block- Saraigadh, P.S- Bhaptiyahi, District- Supaul.
14. Md. Mohibullah, Son of Md. Nasaiuddin, Resident of Village- Chhithi, Block- Saraigedh, P.S- Bhaptiyahi, District- Supaul.
15. Md. Firoz Alam, Son of Abdul Rasid, Resident of Village-Islampur, Block-Pratapganj, District- Supaul.
16. Md. Sajjad Alam, Son of Md. Enulhaque, Resident of Village- Maheshopur, Block and District- Supaul.
17. Azaz Ahmed, Son of Abdul Rauf, Resident of Village-Madudabad, Block-Mohiuddin nagar, District-Samastipur.
18. Abdul Qaiyum, Son of Abdul Haque, Resident of Village- Sortipatti-Dabhari, District- Sapaul.
19. Md. Ebrahim, Son of Md. Mofizur Rahman, Resident of Village, Chauhatta, Block- Kishanpur, District- Sapaul.
20. Md. Jannat Hussain, Son of Md. Allauddin, Resident of Village- Sakhuwa, Block- Pipara, District- Supaul.
21. Md. Shauqat, Son of Abdul Hamid, Resident of Village- Radatpatti, Block and District- Suplaul.
22. Shamim Khatoon, Daughter of Md. Isha, Resident of Village- Kushara, P.s.-Basantpur, District- Supaul.
23. Anjum Ara, Daughter of Islamuddin, Resident of Village-Sitapur, Block-Basantpur, District- Supaul.
24. Md. Firoz, Son of Jamshed Ali, Resident of Village- Mahmaddipur, Samastipur. P.S.-Mohiuddinnagar, District- Samastipur.
25. Md. Alam Raj, Son of Md. Maskur, Resident of Village- Sarhad Bhairo, P.O-

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Bochaha, P.S- Mohaddinnagar, District- Samastipur.

26. Md. Moiz, Son of Md. Azar, Resident of Village- Sarhad Bahiro, P.O- Bahara, P.S- Mohaddinnagar, District- Samastipur.
27. Md. Shamim Ansari, Son of Md. Safiqur Rahman, Resident of Village- Tedhi Bazar, P.S- Mohaddinnagar, District- Samastipur.
28. Md. Faizur Rahman, Son of Sahafiur Rahman, Resident of Village- Md. Nagar (Shairhtola), P.S- Mohaddinnagar, District- Samastipur.
29. Md. Afjal Hasan, Son of Md. Salim Ansari, Resident of Nawada, P.S- Mohaddinnagar, District- Samastipur.
30. Haidar Raja, Son of Md. Naimuddin, Resident of Mohiuddin Nagar, P.S- Mohaddinnagar, District-Samastipur.
31. Md. Ali, Son of Md. Mokim, Resident of Village- Madudabad, Md. Nagar, P.S- Mohaddinnagar, District- Samastipur.
32. Md. Mujtaba Kamal, Son of Israil, Resident of Village-Kanhauli, P.S- Mohaddinnagar, District- Samastipur.
33. Zarina Khatoon, Son of Md. Ismile, Resident of Village-Shivaisingpur, Dighsua, P.S- Mohaddinnagar, District-Samastipur.
34. Md. Arman, Son of Sibten, Resident of Village- Madhopur Digharua, P.S.- Tajpur, District- Samastipur.
35. Sanjeeda Khatoon, Daughter of Md. Anwarul Haque, Resident of village- Shahpur Baghauni, P.S- Tajpur, Dist-Samastipur.
36. Sabina Orui, Son of Md. Imtiyaz, Resident of Village-Rajwa, P.s- Tajpur, District- Samastipur.
37. Seema Shahin, Son of Abdul Kavi, Resident of Village-Rajwa, P.S- Tajpur, District- Samastipur.
38. Md. Savil, Son of Md. Mohsin, Resident of village-Ratwar, Block- Kalyanpur, District- Samastipur.
39. Afrozi Bano, Son of Azizur Rahman, Resident of village- Shahpur Baghauni, Block- Tajpur, District- Samastipur.
40. Md. Shahjeb Azazi, Son of Md. Azar Ahmad, Resident of Village- Rajwa, Block- Tajpur, P.S and District- Samastipur.
41. Nashawa Parween, Son of Md. Saheb, Resident of Village- Kashbe Aharwala (Dargah), P.S- Tajpur, District-Samastipur.
42. Nishar Ahmed Ansari, Son of Gayasuddin Ansari, Resident of Village- Gawhar Nawada (Dargah) P.S and District- Samastipur.
43. Md. Intakhab Alam, Son of Md. Tahir, Resident of village-Kalyanpur, P.S- Kalyanpur, District- Samastipur.
44. Md. Iftakhar, Son of Md. Tahir, Resident of village-Kalyanpur, District- Samastipur.
45. Sabrana Khatoon, Wife of Md. Salam, Resident of village- Mahabalipur, Kalyanpur, District- Samastipur.
46. Kulsoom Zulekha Nusarat, Daughter of Sabbir Ahmad, Resident of Village- Bherukhara, P.S- Tajpur, District-Samastipur.

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47. Fahmida Bano, Daughter of Zuber Ahmed, Resident of Village- Ksab Ahar, P.S- Tajpur, District- Samastipur.

48. Md. Hizbullah, Son of Md. Afaque, Resident of Village-Maniar Margangpar, P.S- Mohaddinnagar, District-Samastipur.

49. Md. Mozibur Rahman, Son of Md. Yasin, Resident of Village- Maltishekh Tiili, P.S- Ujiarpur, District- Samastipur.

50. Md. Kamrul Hoda Kamal, Son of Md. Sajjak, Resident of Village- Sukhpur, P.S- Warish Nagar, District-Samastipur.

51. Md. Jaki Ahmad, Son of Md. Israil, Resident of village-Jatmalpur, P.S- Kalyanur, District- Samastipur.

52. Abdul Waheb, Son of Md. Israfil, Resident of Village-Sarhad Bhero, Block-Mohiuddin Nagar, District-Samastipur.

53. Md. Anzarul, Son of Md. Islam, Resident of Village- Sarmar, P.O- Jagdish Paran, P.S- Chakmaiti, P.S- Tajpur, District- Samastipur.

54. Md. Anwar, Son of Md. Islam, Resident of Village- Sarmar, P.O- Jagdish Paran, P.S- Chakmaiti, P.S- Tajpur, District- Samastipur.

55. Md. Azmat, Son of Md. Israil, Resident of Village- Kasbe Ahar, P.S- Tajpur, District- Samastipur.

56. Md. Shamsher, Son of Md. Jahid, Resident of Village-Kasbe Ahar, P.S- Tajpur, District- Samastipur.

57. Md. Anwar Ahmed, Son of Monazir Hussain, Resident of Village- Sahpur, Baghami, P.S- Tajpur, District-Samastipur.

58. Md. Mohisin, Son of Md. Muslim, Resident of Village-Kasbe-Ahar, P.S- Tajpur, District- Samastipur.

59. Nazmin Bano, Wife of Md. Asraf, Resident of Village-Kasbe Ahar, P.S- Tajpur, District- Samastipur.

60. Md. Nausad Alam, Son of Md. Sayad, Resident of Village-Kasbe Ahar, P.S- Tajpur, District- Samastipur.

61. Md. Munatjir, Son of Md. Ibrahim, Resident of Village-Muragiachak, P.S- Wangara, District- Samastipur.

62. Md. Aabid Hussain, Son of Md. Taslim, Resident of Village and Post-Tajpur.

63. Md. Anwar Ahmed Rahmani, Son of Md. Mohiuddin Ansari, Resident of Village Gonhar Nawada, P.S and District- Samastipur.

64. Gulam Sarwar Alam, Son of Ahmed Hussain, Resident of Village-Bahadurganj, P.S- Warisnagar, District- Samastipur.

65. Md. Badruh Islam, Son of Abdul Wahid, Resident of Village- Madhour, P.S- Satanpur, District- Samastipur.

66. Md. Shamsad, Son of Noor Mohammad, Resident of Village- Mahabalipur, P.S- Kalyanpur, District-Samastipur.

67. Motiur Rahman, Son of Abdul Gafur, Resident of Village-Kashbe Ahar, P.S- Tajpur, District- Samastipur.

68. Md. Naushad Ali, Son of Israfil Hussain, Resident of Village- Sarhad Bhero,

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Block- Mohiuddin Nagar, District- Samastipur.

69. Sanjida Khatoon, Son of Md. Jahur Alam, Resident of Village- Lalpur Got, Block- Basantpur, District- Supaul.

70. Sahen Parvin, Son of Md. Yujus, At and Post- Simrahi, District- Supaul.

71. Md. Ziaur Rahman, Son of Hasamuddin, Resident of Village- Madhopur, Block- Chhatapur, District- Supaul.

72. Md. Shafiq, Son of Md. Zabbar, Kariodih Tola, P.S and District- Supaul.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr.Rashid Izhar, Advocate
For the Respondent/s : Mr. Bindhyachal Rai, AAG-15

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

10 28-10-2026 Though the present intra court appeal has been filed against the impugned order dated 05.09.2023 passed by the Ld. Single Judge in CWJC No. 9526 of 2017, however the Ld. Counsel for the appellants fairly submits that since the scheme itself has stood closed, the present intra court appeal has been substantially rendered infructuous, nonetheless the appellants shall be approaching the respondents in terms of paragraph no. 13 of the counter affidavit filed by the respondents, which is reproduced herein below:-

> "13. That it is stated that in the selection of education volunteers in the new programme i.e. *'Mahadalit, Ulpsankhyak and Atipichara Varg Akshar Anchal Yojna'*, persons who have worked in the earlier programme was given priority. "

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2. Having regard to the fair submissions made by the Ld. Counsel for the appellants, we deem it fit and proper to dispose of the present intra court appeal.

(Mohit Kumar Shah, J)

(Sourendra Pandey, J)

S.Sb/-

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