

## IN THE HIGH COURT OF JHARKHAND AT RANCHI

(Letters Patent Appellate Jurisdiction)

**L.P.A. No. 138 of 2019**

1. The State of Jharkhand through its Chief Secretary, having office at Project Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi
2. The Secretary, Human Resources Development Department (now School Education and Literacy Department), Government of Jharkhand, having office at Project Building, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
4. The District Education Officer, Lohardaga, having office at P.O. & P.S.- Lohardaga, District- Lohardaga

..... **Respondents/Appellants**

**Versus**

1. Bal Mohan Prasad, son of Rambrat Sahu, resident of Village- Lawagain, P.O. & P.S.- Kuru, District- Lohardaga.
2. Arshad Imam, son of Hasan Imam, resident of Village & P.O.- Brambey, P.S. – Kanke, District- Ranchi
3. Md. Anis Akhater, son of Md. Edris Ansari, resident of Village- Navadih, P.O.- Nari Navadih, P.S- Kisko, District- Lohardaga.
4. Mrs. Prafullit Merkha Pump Minz, daughter of Jivan Minz, resident of Village- Kocha, P.O. & P.S.- Kisko, District- Lohardaga.
5. Sankar Sahu, son of Late Shobhiya Sahu, resident of Village & P.O.- Nirgani, P.S. and District- Lohardaga.
6. Md. Hasan Imam Firdausy, son of Abdul Gaffar, resident of Village- Taber, P.O. & P.S. - Satbarva, District- Palamau.
7. Lal Manoj Kumar Nath Shahdeo, son of Lal Nawal Kishore Nath Shahdeo, resident of Village, P.O. & P.S. Kisko, District- Lohardaga.
8. Abdul Qudus, son of Late Abdul Wahab, resident of Village- Kasiadih, P.O.- Narinavadih, P.S.- Kisko, District- Lohardaga.
9. Masud Alam, son of Abdul Sattar, resident of Village, Navadih, P.O.- Nari Navadih, P.S.- Kisko, District-Lohardaga
10. Mani Bhagat, son of Late Karama Bhagat, resident of Village & P.O.- Kisko, P.S.- Kisko, District- Lohardaga

..... **Writ Petitioners/Respondents**

11. The Secretary, Human Resources Development Department, Government of Bihar, having office at New Secretariat, P.O. & P.S.- Baily Road, Town and District- Patna (Bihar)

..... **Respondents/Respondents**

**With**

**L.P.A. No. 367 of 2019**

1. The State of Jharkhand through Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Dhurwa, Dist.- Ranchi, Jharkhand;
2. Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Dhurwa, Dist.- Ranchi, Jharkhand
3. The Director (Secondary Education), Department of School Education and Literacy, Telephone Bhawan, Dhurwa, Ranchi.
4. The Regional Deputy Director of Education, South Chottanagpur Division at Ranchi, P.O & P.S. - Ranchi, District Ranchi.
5. The District Education Officer, Ranchi having its office Near Civil Court Complex, P.O.- G.P.O., P.S.- Kotwali, District- Ranchi.

... **Appellants/Respondents**

**Versus**

Arbind Kumar Pandey, son of Late Gaya Datt Pandey, an Assistant Teacher, Project Girls High School, Angarha, P.O & P.S- Angarha, Dist- Ranchi and Resident of Villages-Thakura Didra, P.O. & P.S.- Lesaliganj, Dist. – Palamu

..... **Respondent/Appellant**

**With**

**L.P.A. No. 368 of 2019**

1. The State of Jharkhand through Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Jagarnathpur, Dist.- Ranchi, Jharkhand;
2. Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Jagarnathpur, Dist.- Ranchi, Jharkhand
3. The Director (Secondary Education), Department of School Education and Literacy, Telephone Bhawan, Dhurwa, Ranchi.
4. The District Education Officer, Ranchi having its office Near Civil Court Complex, P.O.- G.P.O., P.S.- Kotwali, District- Ranchi.

... **Appellants/ Respondents**

**Versus**

Smt. Renuka Kumari Pandey, Wife of Umesh Pathak, Assistant Teacher in Project Girls High School, Angarha, P.O. & P.S. – Angarha, District – Ranchi. At present resident of Panchcil Nagar, P.O. – Hehal, P.S. – Sukhdeo Nagar, District – Ranchi ...

**Respondent /Petitioner**

**With**

**L.P.A. No. 369 of 2019**

1. The State of Jharkhand through Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Jagarnathpur, Dist.- Ranchi, Jharkhand;
2. Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Jagarnathpur, Dist.- Ranchi, Jharkhand
3. The Director (Secondary Education), Department of School Education and Literacy, Telephone Bhawan, Dhurwa, Ranchi.
4. The District Education Officer, Ranchi having its office Near Civil Court Complex, P.O.- G.P.O., P.S.- Kotwali, District- Ranchi.

... **Appellants/ Respondents**

**Versus**

Anil Kumar Rujmodak, son of Shree Garang Chandra Rujmodak, resident of Village & P.O. & P.S. – Tamar, District – Ranchi and posted as an Assistant Teacher in Project Girls High School, Tamar, Post & P.S. – Tamar, District – Ranchi ...

**Respondent /Petitioner**

**With**

**L.P.A. No. 371 of 2019**

1. The State of Jharkhand through Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Jagarnathpur, Dist.- Ranchi, Jharkhand;
2. Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Jagarnathpur, Dist.- Ranchi, Jharkhand

3. The Director (Secondary Education), Department of School Education and Literacy, Telephone Bhawan, Dhurwa, Ranchi.
4. The Regional Deputy Director of Education, South Chottanagpur Division at Ranchi, P.O. & P.S. – Ranchi, District Ranchi
5. The District Education Officer, Ranchi having its office Near Civil Court Complex, P.O.- G.P.O., P.S.- Kotwali, District- Ranchi.

...      ...      **Appellants/ Respondents**  
**Versus**

1. Krishan Kumar Verma, son of Late-Chaturbhuj Lal Verma, resident at K.M. Mallick Raod, Lalpur, & P.O. & P.S. - Lalpur, District - Ranchi, Jharkhand.
2. Ashok Kumar Shukla, Son of Shri Yadunath Shukl, Residing at Rana Path, Friends Colony, Pandra, Ranchi, P.O.-Kamre, P.S.-Pandra, District-Ranchi, Jharkhand
3. Krishnakant Prasad, Son of late Hazarilal Prasad, Residing at Rameshwar Prasad Sadan, Birajnagar, P&T. Colony, Ranchi.
4. Manoj Kumar Srivastava, Son of late Bipin Behari Verma, Residing at Ramanada Jha, Dame Side, Kanke Road, Ranchi, P.O. Kanke, P.S-Gonda, District-Ranchi.
5. Smt. Sarita Gupta, Daughter of Shri Laxmi Narayan Prasad, Residing at Bijay Kumar Prasad, Ratu Road, Indrapuri Road No. 6, Hehal, P.O. Ratu Road, P.S. Sukhdeo Nagar, District- Ranchi.

...      ...**Respondents /Petitioners**  
**With**  
**L.P.A. No. 379 of 2019**

1. The State of Jharkhand through Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Jagarnathpur, Dist.- Ranchi, Jharkhand;
2. Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at Project Building, P.O.- Dhurwa, P.S.- Jagarnathpur, Dist.- Ranchi, Jharkhand
3. The Director (Secondary Education), Department of School Education and Literacy, Telephone Bhawan, Dhurwa, Ranchi.
4. The District Education Officer, Ranchi having its office Near Civil Court Complex, P.O.- G.P.O., P.S.- Kotwali, District- Ranchi

.....      **Appellants/Respondents**  
**Versus**

Kuldip Kumar Sengupta, son of Late N.N. Saha, resident of Village & P.O. & P.S. – Tamar, District – Ranchi and posted as an Assistant Teacher in Project Girls High School, Tamar, Post & P.S. – Tamar, District – Ranchi

...      ...      **Respondent/Petitioner**

**With**  
**L.P.A. No. 427 of 2019**

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government

of Jharkhand, having office at Telephone Building, P.O. & P.S. Dhurwa, Town and District Ranchi

4. The District Education Officer, Jamshedpur, having office at P.O. & P.S. Jamshedpur, Town Jamshedpur, District East Singhbhum

... .. **Respondents/Appellants**

**Versus**

Shishir Kumar Mandal, son of Late Nirod Baran Mandal, Assistant Teacher, Project Girls High School, Potka, Singhbhum East, At + P.O. & P.S. Potka, District Singhbhum East ... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 428 of 2019**

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, P.O. & P.S. Dhurwa, Town and District Ranchi
4. The District Education Officer, Jamshedpur, having office at P.O. & P.S. Jamshedpur, Town Jamshedpur, District East Singhbhum

... .. **Respondents/Appellants**

**Versus**

Md. Jafar Ali, son of Late Waheed Ali, Assistant Teacher, Project Girls High School, Musabani, Singhbhum East, P.O. & P.S. Musabani, District Singhbhum East ... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 429 of 2019**

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, P.O. & P.S. Dhurwa, Town and District Ranchi
4. The District Education Officer, Chaibasa, having office at P.O. & P.S. Chaibasa, District Singhbhum East

... .. **Respondents/Appellants**

**Versus**

1. Shashi Bhushan Saw, son of Madan Mohan Saw, Assistant Teacher, Project Girls High School, Mosabani, Singhbhum East, resident of Village- Kumrashol, P.O. & P.S. Dumariya, District Singhbhum East
2. Jawahar Lal Mahto, son of Sanatan Mahto, Assistant Teacher, Project Girls High School, Mosabani, Singhbhum East, resident of Village Kumrashol, P.O. & P.S. Dumariya, District Singhbhum East

... .. **Writ Petitioners/Respondents**

**With  
L.P.A. No. 431 of 2019**

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S-Dhurwa, Town and District-Ranchi
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, P.O. & P.S. Dhurwa, Town and District Ranchi
4. The District Education Officer, Jamshedpur, having office at P.O. & P.S. Jamshedpur, District-Singhbhum East

...      ...      **Respondents/Appellants**

**Versus**

Ajit Kumar Mandal, son of Late Sudhir Chandra Mandal, Assistant Teacher, Project Girls High School, Musabani, Singhbhum East, P.O. & P.S- Musabani, District-Singhbhum East

...      ...      **Writ Petitioner/Respondent**

**With  
L.P.A. No. 432 of 2019**

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, P.O. & P.S. Dhurwa, Town and District Ranchi
4. The District Education Officer, Jamshedpur, having office at P.O. & P.S. Jamshedpur, District East Singhbhum

...      ... **Respondents/Appellants**

**Versus**

Khudi Ram Mahto, son of Late Abhimanyu Mahto, Assistant Teacher, Project Girls High School, Musabani, Singhbhum East, P.O. & P.S. Musabani, District Singhbhum East

.....      **Writ Petitioner/Respondent**

**With  
L.P.A. No. 433 of 2019**

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District-Ranchi
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, P.O. & P.S. Dhurwa, Town and District-Ranchi
4. The District Education Officer, Jamshedpur, having office at P.O. & P.S. Jamshedpur, District-East Singhbhum



**..... Respondents/Appellants**  
**Versus**

Md. Ishfaque Ahmad, son of Md. Reyazuddin, Assistant Teacher, Project Girls High School, Potka, Singhbhum East, P.O. & P.S. Potka, District-Singhbhum East ... .. **Writ Petitioner/Respondent**

**With**  
**L.P.A. No. 467 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi.
4. The Regional Deputy Director of Education, Santhal Pargana, Dumka, P.O. & P.S. Dumka, District Dumka.
5. The District Education Officer, Dumka, having office at P.O. and P.S. Dumka, District Dumka. .... **Respondents/Appellants**

**Versus**

Harihar Prasad Saha, Son of Din Dayal Saha, an Assistant Teacher of Project Girls High School, Gopikandar, P.O. & P.S. Gopikandar, District Dumka, resident of Village-Kelabarhi, P.O. Kelabarhi, P.S. Radhanagar, District Sahebganj. ... **Writ Petitioner/Respondent**

**With**  
**L.P.A. No. 472 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi.
4. The Regional Deputy Director of Education, Santhal Pargana, Dumka, P.O. & P.S. Dumka, District Dumka.
5. The District Education Officer, Dumka, having office at P.O. & P.S.- Dumka, District- Dumka. .... **Respondents/Appellants**

**Versus**

Shashi Kant Choubey, Son of Sri Sahdeo Choubey, an Assistant Teacher of Project Girls High School, Gopikandar, P.O. & P.S.-Gopikandar, District-Dumka, resident of Village-Krishnapuri Colony Mal, P.O. & P.S.- Pakur, District-Pakur. ... **Writ Petitioner/Respondent**

**With**  
**L.P.A. No. 485 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office

at Telephone Building, HEC Area, P.O. & P.S.- Dhurwa, Town and District- Ranchi.

2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S.- Dhurwa, Town and District-Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, Dhurwa, P.O. & P.S.- Dhurwa, Town and District-Ranchi.
4. The Regional Deputy Director of Education, Palamau Division, Palamau, P.O. & P.S.- Sadar Medninagar, District- Palamau.
5. The District Education Officer, Garhwa, having office at P.O. & P.S.- Garhwa, District-Garhwa. ... .. **Respondents/Appellants**

**Versus**

Birendra Kumar Tiwari, son of Late Asharfi Tiwari, an Assistant Teacher of Bansidhari Project Girls High School, Bhandaria, P.O. & P.S.- Bhandaria, District- Garhwa, resident of Village- Atola, P.O. & P.S.- Meral, District- Garhwa. ... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 490 of 2019**

1. The State of Jharkhand through the Secretary, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Director (Secondary Education), Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, South Chotanagpur Division, P.O. & P.S. – Ranchi, District – Ranchi
4. The District Education Officer, Simdega, having office at P.O. & P.S. – Simdega, District – Simdega. .... **Respondents/Appellants**

**Versus**

Subhashish Chatterjee, s/o Late Fani Bhushan Chatterjee and resident of Village – Pathuriya, P.O. & P.S. – Jaridih, District – Bokaro, presently residing at Shiv Dayal Nagar, Harmu, P.O. – Harmu, P.S. – Argora, District – Ranchi ... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 491 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Building, HEC Area, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The Regional Deputy Director of Education, Palamau Division, Palamau, P.O. & P.S. – Sadar Medninagar, District – Palamau.

5. The District Education Officer, Garhwa, having office at P.O. & P.S. – Garhwa, District- Garhwa.

... .. **Respondents/Appellants**

**Versus**

Englesh Dubey, son of Late Ram Lagan Dubey, an Assistant Teacher of Project Banshidhari Girls High School, Bhandariya, P.O. & P.S.- Bhandariya, District- Garhwa, resident of Village – Bhandariya, P.O. & P.S. – Bhandariya, District - Garhwa.

... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 507 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, Palamau, P.O. & P.S. – Medninagar, District – Palamau.
4. The District Education Officer, Palamau, having office at P.O. & P.S. – Medninagar, District- Palamau.

..... **Respondents/Appellants**

**Versus**

Sudhir Prasad, son of Late Bideshi Saw, resident of Village – Tarhasi, P.O. & P.S. – Tarhasi, District - Palamu.

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 508 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The Regional Deputy Director of Education, Palamau Division at Daltonganj, P.O. & P.S. – Daltonganj, District – Palamau.
5. The District Education Officer, Palamau, having office at P.O. & P.S. – Daltonganj, District – Palamau.

... .. **Respondents/Appellants**

**Versus**

Chandrika Mahto, son of Late Tilak Mahto, resident of Village – Majhiganwa, P.O. – Baliyari, P.S. - Tarhari, District – Palamau and posted as an Assistant Teacher in Ramdhan Sahu Project Girls High School, Lesliganj, P.O. & P.S. – Lesliganj, District - Palamau.

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 509 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Govt. of Jharkhand, having its office at



- Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, District- Ranchi;
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi
  3. The Regional Deputy Director of Education, Palamau, P.O. & P.S. – Medninagar, District - Palamau
  4. The District Education Officer, Palamau, having office at P.O. & P.S. – Medninagar, District – Palamau ... **Respondents/Appellants**

**Versus**

Md. Kalim, son of Md. Ismail, resident of Village Chhakanadih, P.O. & P.S. – Tarhasi, District – Palamau ... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 530 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, District Ranchi
2. The Director, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, Palamau, P.O. & P.S. Medninagar, District Palamau
4. The District Education Officer, Palamau, having office at P.O. & P.S. Medninagar, District Palamau ... .. **Respondents/Appellants**

**Versus**

Anwar Hussain, son of Late Habib Khalifa, resident of Village Chainpur, P.O. & P.S. Chainpur, District Palamau

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 531 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, Town and District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag P.O & P.S- Hazaribag, District- Hazaribag.
4. The District Education Officer, Chatra, having office at P.O & P.S- Chatra, District- Chatra. ... **Respondents/Appellants**

**Versus**

Anand Kumar Sinha, son of Suresh Prasad, resident of Village- Pratappur, P.O & P.S- Pratappur, District- Chatra.

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 533 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, District-Ranchi.

2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
  3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribagh, P.O & P.S- Hazaribagh, District- Hazaribagh.
  4. The District Education Officer, Koderma, having office at P.O. & P.S.- Koderma, District- Koderma.
- ... Respondents/Appellants**

**Versus**

Nirmal Singh, son of Late Yuvraj Singh, resident of Village-Markachcho, P.O. & P.S.- Markachcho, District- Koderma.

**... .... Writ Petitioner/Respondent**

**With**

**L.P.A. No. 534 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag, P.O. and P.S. Hazaribag, District-Hazaribag.
4. The District Education Officer, Chatra, having office at P.O. and P.S. Chatra, District Chatra.

**... Respondents/Appellants**

**Versus**

Ravindra Nath Singh, son of Sri Gaya Prasad Singh, resident of Village-Nawadih, P.O. Khadeya, P.S- Tandwa, District-Chatra.

**... Writ Petitioner/Respondent**

**With**

**L.P.A. No. 535 of 2019**

1. The State of Jharkhand through Principal Secretary, Department of Human Resource (now known as School Education and Literacy Department), Government of Jharkhand, having office at Jharkhand Mantralaya, Project Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi
  2. Director (Secondary Education), Human Resource Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Jharkhand Mantralaya, Project Building, P.O. & P.S. Dhurwa, Town and District Ranchi
  3. District Education Officer, Gumla, having office at P.O. & P.S. Gumla, District Gumla
- ... Respondents/Appellants**

**Versus**

1. Vasudeva Das, son of Late Banmali Das, resident of Shastrinagar, Gumla, P.O., P.S. & District Gumla
  2. Principal, Project Girls High School, Bishunpur, P.O., P.S. & District Gumla
- ... Writ Petitioner/Respondent**  
**... Respondent/Performa Respondent**

**With**

**L.P.A. No. 536 of 2019**

1. The State of Jharkhand.
2. The Principal Secretary, Department of Human Resources Development

(now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.

3. The Director (Secondary Education), Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The District Education Officer, Saraikela-Kharsawan, having office at P.O. & P.S. – Saraikela-Kharsawan, District- Saraikela-Kharsawan (sic District Education Officer, East Singhbhum, Jamshedpur).

... **... Respondents/Appellants**

**Versus**

Pradyot Kumar Mandal, son of Late Govind Chandra Mandal, Assistant Teacher, Project Girls High School, Potka, Singhbhum East, resident of Village – Hesalbil, P.O. & P.S. – Potka, District – Singhbhum East.

... **... Writ Petitioner/Respondent**

**With**

**L.P.A. No. 560 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag, P.O. & P.S. Hazaribag, District Hazaribag
4. The District Education Officer, Chatra, having office at P.O. & P.S. Chatra, District Chatra ... **... Respondents/Appellants**

**Versus**

Suresh Mishra, son of Uma Shankar Mishra, resident of Village Narayanpur, P.O. Narayanpur, P.S. Pratappur, District Chatra

... **... Writ Petitioner/Respondent**

**With**

**L.P.A. No. 575 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, P.O. & P.S.- Hazaribagh, District- Hazaribagh.
4. The District Education Officer, Koderma, having office at P.O. & P.S.- Koderma, District- Koderma. ... **... Respondents/Appellants**

**Versus**

Dhaneshwar Yadav, son of Sri Chhatra Dhari Yadav, resident of Village- Kusahan, P.O.- Hirodih, P.S.- Jay Nagar, Distrtict- Koderma.

... **... Writ Petitioner/Respondent**

**With  
L.P.A. No. 576 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh P.O & P.S- Hazaribagh, District- Hazaribagh.
4. The District Education Officer, Koderma having office at P.O & P.S- Koderma, District- Koderma .... ... **Respondents/Appellants**

**Versus**

Sunil Kumar Ray son of Kisun Rai, resident of Village & P.O.- Achaljamu, P.S- Vishnugarh, District- Hazaribagh.... ... **Writ Petitioner/Respondent**

**With  
L.P.A. No. 577 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of Human Resources Development Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. and P.S. Dhurwa, Town and District- Ranchi.
2. The Principal Secretary, Department of Human Resources Development Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. and P.S. Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, Human Resources Development Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. and P.S. Dhurwa, Town and District Ranchi.
4. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, P.O. & P.S. Hazaribagh, District-Hazaribagh.
5. The District Education Officer, Chatra, having office at P.O. & P.S-Sadar, District-Chatra. .... **Respondents/Appellants**

**Versus**

1. Dilip Kumar Sinha, Son of Shree Madan Mohan Prasad,
2. Nirup Kumar Sinha, Son of Shri Madan Mohan Prasad,  
Both Assistant Teachers, Project Girls High School, Pratappur, P.O. & P.S. Pratappur, District Chatra. ... **Writ Petitioners/Respondents**

**With  
L.P.A. No. 589 of 2019**

1. The State of Jharkhand through its Principal Secretary, Human Resources Development Department (now known as School Education and Literacy Department), having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Principal Secretary, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director (Secondary Education), Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.

4. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribagh, P.O. & P.S. – Hazaribagh, District – Hazaribagh.  
The District Education Officer, Koderma, having office at P.O. & P.S. – Koderma, District – Koderma. .... **Respondents/Appellants**

**Versus**

Sahdeo Yadav, son of Shree Chhatradhari Yadav resident of Village – Kushahan, P.O. – Herodih, P.S. – Jainagar, District – Koderma, and posted as an Assistant Teacher in Porject Girls High School, Jainagar, P.O. & P.S. – Jainagar, District – Koderma. .... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 591 of 2019**

1. The State of Jharkhand through its Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, Division, Santhan Paragana, Dumka, P.O. & P.S. Dumka, District Dumka
4. The District Education Officer, Godda, having office at P.O. & P.S. Godda, District Godda ... .. **Respondents/Appellants**

**Versus**

Vishnudeo Manjhi, son of Late Jagdeo Manjhi, resident of Village -Piluwa, P.O. Piluwa Jharna, P.S. Bonsi, District Bhagalpur (Bihar)

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 594 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town & District Ranchi
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, Division, Santhal Paragana, Dumka, P.O. & P.S. Dumka, District Dumka
4. The District Education Officer, Godda, having office at P.O. & P.S. Godda, District Godda ... .. **Respondents/Appellants**

**Versus**

Subhash Tudu, son of Late Anand Tudu, resident of Village Mohanpur, P.O. Chandanahat, P.S. Sundar Pahari, District Godda

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 595 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S- Dhurwa, Town and District- Ranchi.
2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC



Area, P.O. & P.S. Dhurwa, Town and District- Ranchi.

3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi.
4. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribagh, P.O. & P.S. Hazaribagh, District Hazaribagh.
5. The District Education Officer, Hazaribagh, having office at P.O. & P.S. Hazaribagh, District Hazaribagh

.... Respondents/Appellants

**Versus**

Ram Kumar Dubey, Son of Har Govind Dubey, an Assistant Teacher of Project Girls High School, Bishnugarh, P.O. & P.S. Bishnugarh, District Hazaribagh, resident of Village Bishnugarh, P.O. & P.S.-Bishnugarh, District-Hazaribagh.

...Writ Petitioner/Respondent

**With**

**L.P.A. No. 618 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, Santhal Paragana Division, Dumka P.O & P.S- Dumka, District- Dumka.
4. The District Education Officer, Sahibganj having office at P.O. & P.S.- Sahibganj, District- Sahibganj. ...

... Respondents/Appellants

**Versus**

Lowin Chandra Ray, son of Late Nakul Ray, resident of Village- Jiwanko, Khuthari, P.O.- Bhageya, P.S.- Thakur Gangati, District-Godda.

... Writ Petitioner/Respondent

**With**

**L.P.A. No. 619 of 2019**

1. The State of Jharkhand.
2. The Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S- Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Govt. of Jharkhand, having office at Project Building, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
4. The Regional Deputy Director of Education, Santhal Pargana Division, Dumka having office at P.O, P.S & District- Dumka,
5. The District Education Officer, Dumka, having office at P.O & P.S- Dumka, District- Dumka. ...

... Respondents/Appellants

**Versus**

Binay Kuma Sen, son of Late Nakul Chandra Sen, resident of Mohalla- Kumharpara, P.O- Dumka, P.S- Town Thana, District- Dumka.

... Writ Petitioner/Respondent

**With**

**L.P.A. No. 620 of 2019**

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development

(now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. – Dhurwa, Town and District – Ranchi

3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi
4. The District Education Officer, Jamshedpur, having office at P.O. & P.S. – Borio, District – Sahebganj ... .. **Respondents/Appellants**

**Versus**

- 1.1) Premlata W/o Late Bijay Kumar Arya, R/o Bishanpur, Barharwa Sahebganj, Dist Sahebganj Jharkhand
- 1.2) Pravijeet Arya S/o Late Bijay Kumar Arya, R/o Bishanpur, Barharwa Sahebganj, Dist Sahebganj Jharkhand
- 1.3) Presenjeet Arya S/o Late Bijay Kumar Arya, R/o Bishanpur, Barharwa Sahebganj, Dist Sahebganj Jharkhand
- 1.4) Vishwaprabha Arya (Married) D/o Late Bijay Kumar Arya, R/o Bishanpur, Barharwa Sahebganj, Dist Sahebganj Jharkhand  
(Substituted vide order dated 17.01.2023)

... .. **Writ Petitioners/Respondents**

**With**

**L.P.A. No. 621 of 2019**

1. The State of Jharkhand through the Principal Secretary, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
2. The Principal Secretary, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
3. The Director (Secondary Education), Human Resources Development Department (now known as School Education and Literacy Department), having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, having office at P.O. & P.S. – Hazaribagh, District – Hazaribagh.
5. The District Education Officer, Koderma, having office at P.O. & P.S. – Koderma, District- Koderma. .... **Respondents/Appellants**

**Versus**

Deonarayan Yadav, son of Sri Chaman Yadav, resident of Village – Tarwan, P.O. & P.S. – Jainagar, District – Koderma and posted as Assistant Teacher in Project Girls High School, Jainagar, P.O. & P.S. – Jainagar, District - Koderma.  
.....**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 622 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S. Dhurwa, Town and District- Ranchi;

2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District - Ranchi
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi
4. The District Education Officer, Pakur, having office at P.O. & P.S. – Pakur, District – Pakur ... .. **Respondents/Appellants**

**Versus**

1. Shyamlal Saha, son of Late Durga Charan Saha, resident of Village – Bara Sonakod, P.O. – Kotal Pokhar, P.S. – Hiranpur, District – Pakur and posted as an Assistant teacher in Project Girl's High School, Hiranpur P.O. & P.S. – Hiranpur, District - Pakur ... .. **Writ Petitioner/Respondent**
2. The Three Men Committee through its Convenor namely Md. Saiyad Mobin Alam, Dept. of School Education & Literacy, having office at Project Bhawan, P.O. & P.S. – Dhurwa, Town and District - Ranchi  
... .. **Respondent/ Performa Respondent**

**With**

**L.P.A. No. 624 of 2019**

1. The State of Jharkhand through the Principal Secretary, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
2. The Director, Secondary Education, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S.- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag P.O & P.S- Hazaribag, District- Hazaribag.
4. The District Education Officer, Ramgarh, having office at P.O. & P.S.- Ramgarh, District- Ramgarh.... .. **Respondents/Appellants**

**Versus**

Indranath Sahu, son of Late Tekan Sao, resident of Village & P.O- Mandu, P.S.- Mandu, District- Ramgarh. ... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 625 of 2019**

1. The State of Jharkhand through its Principal Secretary, Human Resources Development Department (now known as School Education and Literacy Department), having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Director, (Secondary Education), Human Resources Development Department (now known as School Education and Literacy Department), having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
3. The Regional Deputy Director of Education, South Chotanagpur Division, Ranchi, P.O. and P.S.- Sadar, District-Ranchi.
4. The District Education Officer, Gumla, having office at P.O. and P.S. Gumla, District Gumla. .... **Respondents/Appellants**

**Versus**

Punni Kumari, daughter of Late Mangra Bhagat, an Assistant Teacher, Project Girls High School, Gaghra, P.O. and P.S. Gaghra, District-Gumla,

and resident of Village-Gaghra, P.O. and P.S.- Gaghra, District-Gumla.

... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 632 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S. Dhurwa, Town and District-Ranchi.
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. Dhurwa, Town and District-Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District-Ranchi.
4. The District Education Officer, Pakur, having office at P.O. and P.S. Pakur, District Pakur.

.... **Respondents/Appellants**

**Versus**

1. Surendra Soren, Son of Dugu Soren, resident of Village-Taljhari, P.O. and P.S. Hiranpur, District Pakur and posted an Assistant Teacher in Project Girls High School, Littipara, Post and P.S. Littipara, District-Pakur.

... .. **Writ Petitioner/Respondent**

2. The Three-Man Committee, through its Convenor, namely Md. Saiyad Mobin Alam, Dept. of School Education and Literacy, having office at Project Bhawan, P.O. and P.S. Dhurwa, Town and District Ranchi.

... .. **Respondent/Performa Respondent**

**With**

**L.P.A. No. 633 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Principal Secretary, Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director, Secondary Education, Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and District – Ranchi
4. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, P.O. & P.S. – Hazaribagh, District – Hazaribagh.
5. The District Education Officer, Hazaribagh, having office at P.O. & P.S. – Hazaribagh, District – Hazaribagh. ...

... **Respondents/Appellants**

**Versus**

Diwakar Prasad, son of Sri Sukhdeo Prasad, resident of Village – Bishnugarh, P.O. & P.S. – Bishnugarh, District – Hazaribagh, posted as an Assistant Teacher of Project Girls High School, Bishnugarh, P.O. & P.S. – Bishnugarh, District – Hazaribagh. ....

**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 634 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and

District – Ranchi.

2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and District – Ranchi
4. The Regional Deputy Director of Education, South Chotanagpur Division, Ranchi, P.O. – GPO, P.S. – Kotwali, Town and District – Ranchi.
5. The District Education Officer, Lohardaga, having office at P.O. & P.S. – Lohardaga, District – Lohardaga.

..... **Respondents/Appellants**

**Versus**

Ram Kumar Sahu, son of Sri Bela Sahu, resident of Village – Bhandra, P.O. & P.S. – Bhandra, District – Lohardaga.

..... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 635 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, North Chota Nagpur Division, Hazaribagh, P.O. & P.S. – Hazaribagh, District – Hazaribagh.
4. The District Education Officer, Ramgarh, having office at P.O. & P.S. – Ramgarh, District – Ramgarh.

..... **Respondents/Appellants**

**Versus**

Kanchan Kumar, son of Late Chaturgan Sahu, resident of Village & P.O. – Mandu, P.S. – Mandu, District – Ramgarh.

..... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 636 of 2019**

1. The State of Jharkhand through the Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District-Ranchi.
2. The Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District-Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, Town and District-Ranchi.
4. The Regional Deputy Director of Education, South Chotanagpur, Ranchi, P.O.-G.P.O., P.S. Kotwali, Town and District-Ranchi.
5. The Convenor, Three Man Committee, Department of School Education and Literacy, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.

.... **Respondents/Appellants**

**Versus**



Surendra Nath Roy, Son of Shri Harimohan Roy, resident of Village-Naurhi, P.O. Naurhi, P.S. Araki, District Khunti and posted as an Assistant Teacher in Project Girls High School, Araki, P.O. and P.S.- Araki, District-Khunti.

**...Writ Petitioner/Respondent**

**With  
L.P.A. No. 637 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The District Education Officer, Pakur, having office at P.O. & P.S. – Pakur, District – Pakur.

**..... Respondents/Appellants**

**Versus**

Om Prakash Mandal, son of Sri Dhananjay Mandal resident of Village - Littipara, P.O. & P.S. – Littipara, District- Pakur.

**...Writ Petitioner/Respondent**

**With  
L.P.A. No. 638 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S. Dhurwa, Town & District Ranchi
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
4. The District Education Officer, Pakur, having office at P.O. & P.S. Pakur, District Pakur

**Respondents/Appellants**

**Versus**

1. Kharen Chandra Saha, son of Late Amir Saha, resident of Village Tarapur, P.O. & P.S. Hiranpur, District Pakur

**Writ Petitioner/Respondent**

2. The Three Men Committee, through its Convener, namely, Md. Saiyad Mobin Alam, Dept. of School Education and Literacy, having office at Project Bhawan, P.O. & P.S. Dhurwa, District Ranchi

**Respondent/Performa Respondent**

**With  
L.P.A. No. 639 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Secretary, School Education and Literacy Department, Government of

Jharkhand, having office at Project Building, P.O. & P.S. Dhurwa, Town and District Ranchi.

3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District-Ranchi.
4. The District Education Officer, Pakur, having office at P.O. & P.S. Pakur, District Pakur.

**.... Respondents/Appellants**

**Versus**

1. Digamber Saha, Son of Sri Mahendra Prasad Saha, resident of Village Hiranpur, P.O. & P.S. Hiranpur, District Pakur.

**...Writ Petitioner/Respondent**

2. The Three-Man Committee, through its Convenor, namely, Md. Saiyad Mobin Alam, Dept. of School Education and Literacy, having office at Project Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi.

**... Respondent/Performa Respondent**

**With**

**L.P.A. No. 640 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The District Education Officer, Pakur, having office at P.O. & P.S. – Pakur, District – Pakur.

**..... Respondents/Appellants**

**Versus**

Pradip Kumar Jaiswal, son of Sri Sheshnath Jaishwal resident of Village – Pakur, P.O. & P.S. – Pakur, District – Pakur.

**...Writ Petitioner/Respondent**

**With**

**L.P.A. No. 642 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, Town and District-Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, P.O & P.S- Hazaribagh, District- Hazaribagh.
4. The District Education Officer, Hazaribag, having office at P.O & P.S- Hazaribag, District- Hazaribag. ... ..

**Respondents/Appellants**

**Versus**

Kailash Prasad Ran, son of Jagdish Rana, resident of Village- Karma, P.O- Brindavan, P.S- Chouparan, District- Hazaribag.

**... Writ Petitioner/Respondent**

**With  
L.P.A. No. 643 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribag, P.O. & P.S- Hazaribag, District-Hazaribag
4. The District Education Officer, Hazaribag, having office at P.O. & P.S.- Hazaribag, District-Hazaribag

...                      ...                      **Respondents/Appellants**  
**Versus**

Baijnath Mahto, son of Bise Mahto, resident of Village Gargali, P.O- Mandu, P.S.-Mandu, District-Ramgarh    ... **Writ Petitioner/Respondent**

**With  
L.P.A. No. 662 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, Town and District-Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribag, P.O & P.S- Hazaribag, District- Hazaribag.
4. The District Education Officer, Ramgarh, having office at P.O & P.S- Ramgarh, District- Ramgarh.

...    ...                      **Respondents/Appellants**  
**Versus**

Dinesh Kumar, son of Late Sitaram Gupta, resident of Mohalla- Ram Nagar, near Petrol Pump, P.O- Hazaribagh, District- Ramgarh.

...                      ...                      **Writ Petitioner/Respondent**

**With  
L.P.A. No. 684 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, Town and District-Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, P.O & P.S- Hazaribagh, District- Hazaribagh.
4. The District Education Officer, Hazaribag, having office at P.O & P.S- Hazaribag, District- Hazaribag.

...    ...                      **Respondents/Appellants**  
**Versus**

Ajit Narayan Pandey, son of Sri Ramsharan Pandey resident of Village-

Kantahichak, P.O- Loram, P.S- Chatra, District- Chatra, Presently residing at Village- Joridih, P.O- Parsouni, P.S- Chatra, District- Chatra.

... .. **Writ Petitioner/Respondent**

**With**  
**L.P.A. No. 686 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
  2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
  3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag, P.O. & P.S. – Hazaribag, District – Hazaribag.
  4. The District Education Officer, Chatra, having office at P.O. & P.S. – Chatra, District- Chatra.
- ..... Respondents/Appellants**

**Versus**

1. Rajendra Kumar Prasad, son of Late Ramdeo Prasad, resident of Village – Pratappur, P.O. & P.S. – Pratappur, District - Chatra.
2. Kiran Kumari, wife of Mukesh Ranjan Verma, resident of Village – Singhesar, P.O. & P.S. - Singhesar, District – Madhepura (Bihar).

**... Writ Petitioners/Respondents**

**With**  
**L.P.A. No. 691 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S.-Dhurwa, District- Ranchi.
  2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District- Ranchi.
  3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribag, P.O. & P.S.- Hazaribag, District- Hazaribag.
  4. The District Education Officer, Koderma, having office at P.O. & P.S.- Koderma, District- Koderma.
- ... .. **Appellants/Respondents**

**Versus**

Rajesh Kumar Sharma, son of Sri Prabhu Sharma, resident of Village – Sanr, P.O. – Sanr, P.S.- Sirdala, District- Nawada (Bihar).

..... **Writ Petitioner / Respondent**

**With**  
**L.P.A. No. 692 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, Government of Jharkhand, Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi
  2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi
  3. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
  4. The District Education Officer, Koderma, having office at P.O. & P.S. Koderma, District Koderma
- ... .. **Respondents/Appellants**

**Versus**

1. Shakaldeo Prasad Yadav, son of Late Mahavir Yadav, resident of Village -Sarbahana, P.O. Madhopur, P.S. - Satgawan, District Koderma and posted as an Assistant Teacher in Project Girls High School, Satagawan, P.O. & P.S. Satagawan, Dist. Koderma ... .. **Writ Petitioner/Respondent**
2. The Three-Man Committee, through its Convenor, Md. Saiyad Mobin Alam, Dept. of School Education and Literacy, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi  
... .. **Respondent/Performa Respondent**

**With**

**L.P.A. No. 694 of 2019**

1. The State of Jharkhand through its Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Director (Secondary Education), School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, South Chotanagpur Division, Ranchi, P.O. – GPO, P.S. – Kotwali, Town and District – Ranchi.
4. The District Education Officer, Gumla, having office at P.O. & P.S. – Gumla, District – Gumla. .... **Respondents/Appellants**

**Versus**

Uday Kumar Prasad, son of Sri Balram Prasad, posted as Assistant Teacher, Project Girls High School, Palkot, P.O. & P.S.-Palkot, District – Gumla, and resident of Village – Chainpur, P.O. – Tengariya, P.S. – Palkot, District – Gumla. ... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 695 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, P.O. & P.S. Hazaribagh, District Hazaribagh
4. The District Education Officer, Koderma, having office at P.O. & P.S. Koderma, District Koderma

... .. **Respondents/Appellants**

**Versus**

Harihar Prasad Burnwal, son of Sri Jato Modi, resident of Village Markachcho, P.O. & P.S. Markachcho, District Koderma

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 698 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, P.O. & P.S. Dhurwa, Town & District Ranchi



2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, Dumka Division, Dumka, P.O. & P.S. Dumka, District Dumka
4. The District Education Officer, Godda, having office at P.O. & P.S. Godda, District Godda ... .. **Respondents/Appellants**

**Versus**

Prabodh Kumar Mishra, son of Kamleshwari Prasad Mishra, an Assistant Teacher (retired), Srimati Nageshwari Devi Project Girls High School, Kasba, P.O. Kasba – Dhudhichak Via Eshipur, P.S. Meherma, District Godda, resident of Village Kasba, P.O. Kasba – Dhundhichak, P.S. Meherma, District Godda ... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 702 of 2019**

1. The State of Jharkhand.
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The District Education Officer, Saraikela - Kharsawan, having office at P.O. & P.S. – Saraikela - Kharsawan, District – Saraikela - Kharsawan.

..... **Respondents/Appellants**

**Versus**

1. Jhari Ram Mahto, son of Late Surendra Nath Mahto, Assistant Teacher, Shatrughnaditya Porject Girls High School, Khunti, P.O. & P.S. – Khunti, District – Saraikela - Kharsawan.
2. Bijay Kumar Singh, son of Sri Birendra Kumar Singh, Assistant Teacher, Shatrughnaditya Porject Girls High School, Khunti, P.O. & P.S. – Khunti, District – Saraikela - Kharsawan. ... **Writ Petitioners/Respondents**

**With**

**L.P.A. No. 703 of 2019**

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. – Dhurwa, Town and District – Ranchi
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi
4. The District Education Officer, Saraikela-Kharsawan, having office at P.O. & P.S. – Saraikela-Kharsawan, District- Saraikela - Kharsawan

..... **Respondents/Appellants**

**Versus**

1. Santosh Kumar Napit, son of Late Nakul Chandra Napit, In-charge Headmaster/Assistant Teacher, Project Girls High School, Gaurangkocha, P.O. – Gaurangkocha, P.S. – Ichagarh, District – Saraikela-Kharsawan
2. Amin Chandra Mahto, son of Late Umesh Chandra Mahto, Assistant Teacher, Project Girls High School, Gaurangkocha, P.O. – Gaurangkocha, P.S. – Ichagarh, District – Saraikela-Kharsawan

... ..

**Writ Petitioners/Respondents**

**With**

**L.P.A. No. 706 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag, P.O & P.S- Hazaribag, District- Hazaribag.
4. The District Education Officer, Koderma having office at P.O & P.S- Koderma, District- Koderma. ... ..

**Respondents/Appellants**

**Versus**

Kameshwar Pandey, son of Late Lato Pandey, resident of Village & P.O- Devipur, Khermi, P.S- Koderma, District- Koderma.

... ..

**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 710 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, Santhal Pargana Division, Dumka, P.O. & P.S.- Dumka, District- Dumka.
4. The District Education Officer, Godda, having office at P.O. & P.S.- Godda, District- Godda. ... ..

**Respondents/Appellants**

**Versus**

Santosh Kumar Gupta, son of Late Ram Shankar Ram, resident of Village- Baristand, P.O.- Sundar Pahari, P.S.- Sundar Pahari, District- Godda.

... ..

**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 712 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, Santhal Pargana Division,

Dumka, P.O. & P.S. – Dumka, District – Dumka.

4. The District Education Officer, Godda, having office at P.O. & P.S. – Godda, District- Godda. .... **Respondents/Appellants**

**Versus**

Yogeshwar Ram, Son of Bisu Ram, resident of Village – Laxmi, P.O. – Jamni Paharpur, P.S. – Godda, District - Godda.

**...Writ Petitioner/Respondent**

**With**

**L.P.A. No. 713 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District- Ranchi
2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District- Ranchi
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi
4. The Regional Deputy Director of Education, Santhal Pargana Division, Dumka, P.O. & P.S.-Dumka, District-Dumka
5. The District Education Officer, Godda, having office at P.O. & P.S- Godda, District-Godda ... .. **Respondents/Appellants**

**Versus**

Pawan Kumar Mishra, son of Late Deep Narayan Mishra, An Assistant Teacher (Retired) Nageshwari Devi Project Girls High School, Kashwba, P.O. Meharma, P.S. Meharma, Dist. Gooda, resident of Village – Kashaba, P.O. & P.S. Meharma, District-Godda

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 714 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, Santhal Pargana Division, Dumka, P.O. & P.S. – Dumka, District – Dumka.
4. The District Education Officer, Godda, having office at P.O. & P.S. – Godda, District – Godda. .... **Respondents/Appellants**

**Versus**

Mrinalini Murmu, widow of Late Rubel Marandi, resident of Village – Sundar Pahari, P.O. & P.S. – Sundar Pahari, District – Godda.

**...Writ Petitioner/Respondent**

**With**

**L.P.A. No. 715 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone

Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.

2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.

3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.

4. The Regional Deputy Director of Education, North Chota Nagpur Division, Hazaribagh, P.O. & P.S. – Hazaribagh, District – Hazaribagh.

5. The District Education Officer, Koderma, having office at P.O. & P.S. – Koderma, District – Koderma.

..... **Respondents/Appellants**

**Versus**

Rajendra Prasad Yadav, son of Sri Banwari Mahto, resident of Village – Samaldih, P.O. – Basodih, P.S. – Satgawan, District – Koderma and posted as an Assistant Teacher, Project Girls High School, Satgawan, P.O. & P.S. – Satgawan, District – Koderma. ... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 716 of 2019**

1. The State of Jharkhand through its Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi

2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi

3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi

4. The Regional Deputy Director of Education, Santhal Pargana Division, Dumka, P.O. & P.S. Dumka, Town and District Dumka

5. The District Education Officer, Sahebganj (now Pakur) having office at P.O. & P.S. Sahebganj, District Sahebganj

...

...

**Respondents/Appellants**

**Versus**

Prabhakar Mishra, son of Fanindra Mishra, An Assistant Teacher, Project Girls High School, Pakurhiya, P.O. & P.S. Pakurhiya, District Sahebganj and resident of Village Kajradaha, P.O. & P.S. Sikariparya, District Sahebganj (now Pakur) ..... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 717 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and District – Ranchi.

2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. – Dhurwa, Town and District – Ranchi.

3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building,

HEC Area, P.O. & P.S. – Dhurwa, Town and District – Ranchi.

4. The Regional Deputy Director of Education, Santhal Pargana Division, Dumka, P.O. & P.S. – Dumka, Town and District – Dumka.
5. The District Education Officer, Pakur, having office at P.O. & P.S. – Pakur, District – Pakur.

**..... Respondents/Appellants**

**Versus**

Ajit Kumar Singh, son of Shambhu Nath Singh, an Assistant Teacher in Project Girls High School, Pakurhiya, P.O. & P.S. – Pakurhiya, District – Pakur, resident of Village - Pakurhiya, P.O. & P.S. – Pakurhiya, District – Pakur.

**.....Writ Petitioner/Respondent**

**With**

**L.P.A. No. 718 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S- Dhurwa, Town and District- Ranchi.
2. The Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S- Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, Dhurwa, P.O. & P.S- Dhurwa, Town and District- Ranchi.
4. The Regional Deputy Director of Education, Dumka, Santhal Pargana Division, Dumka, having office at P.O & P.S- Dumka, District- Dumka.
5. The District Education Officer, Dumka (now newly created dist- Pakur), having office at P.O & P.S- Pakur, District- Pakur.

**..... Respondents/Appellants**

**Versus**

Julin Tuddu, son of Late Amin Tuddu, an Assistant Teacher in Project High School Pakuria, resident of P.O & P.S- Pakuria, District- Pakur, Village – Buchpahari, P.O- Lakdum Choukishal,, P.S- Pakuria, District- Pakur.

**... .. Writ Petitioner/Respondent**

**With**

**L.P.A. No. 726 of 2019**

1. The State of Jharkhand.
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director (Secondary Education), Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The District Education Officer, East Singhbhum at Jamshedpur, having office at P.O. & P.S. – Jamshedpur, District – Singhbhum East.

**..... Respondents/Appellants**

**Versus**

Puran Chandra, son of Late Kashinath Mahto, Assistant Teacher, Porject Girls High School, Dumariya, Singhbhum East, resident of Village – Dumariya, P.O. & P.S. – Dumariya, District – Singhbhum East.

**.....Writ Petitioner/Respondent**



**With  
L.P.A. No. 730 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S- Dhurwa, Town and District- Ranchi.
2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S- Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
4. The Regional Deputy Director of Education, Palamau Division, Palamau P.O & P.S- Palamau, District- Palamau.
5. The District Education Officer, Palamau, having office at P.O & P.S- Palamau, District- Palamau.

... **Respondents/Appellants**

**Versus**

Ravindra Pathak, son of Late Manibunsh Pathak an Assistant Teacher (retired) of Project Indira Gandhi Girls High, Tarhasi, P.O & P.S- Tarhasi, Dist- Palamau, resident of Village- Bhandari, P.O & P.S- Tarhasi, District- Palamau.

... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 732 of 2019**

1. The State of Jharkhand through its Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.-Dhurwa, Town and District- Ranchi
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District- Ranchi
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag, P.O. & P.S. Hazaribag, District Hazaribag
4. The District Education Officer, Chatra, having office at P.O. & P.S. Chatra, District-Chatra ...

... **Respondents/Appellants**

**Versus**

Sushma Kumari, wife of Suresh Mishra, resident of Village & P.O- Narayanpur, P.S- Pratappur, District-Chatra

... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 752 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
2. The Director, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, Santhal Pargana Division, Dumka, P.O. & P.S. Dumka, District Dumka
4. The District Education Officer, Pakur, having office at P.O. & P.S. Pakur, District Pakur ...

... **Respondents/Appellants**

**Versus**

Satyendra Kumar Jha, son of Ganesh Dutta Jha, resident of Amrapara, P.O. & P.S. Amrapara, District Pakur

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 753 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, Town and District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, Palamau Division, Palamau, P.O & P.S- Medninagar, District- Palamau.
4. The District Education Officer, Garhwa, having office at P.O & P.S- Garhwa, District- Garhwa.

..... **Respondents/Appellants**

**Versus**

Ajay Kumar Singh, son of Late Ambika Prasad Singh, resident of Village- Bhawnathpur, P.O & P.S- Bhawnathpur, District- Garhwa.

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 754 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribagh, P.O. & P.S. – Hazaribagh, District – Hazaribagh.
4. The District Education Officer, Koderma, having office at P.O. & P.S. – Koderma, District – Koderma.

..... **Respondents/Appellants**

**Versus**

Ram Krishna Yadav, son of Late Nanu Yadav, resident of Village – Dumri, P.O. – Sarmatand, P.S. – Jai Nagar, District – Koderma.

..... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 755 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribagh, P.O. & P.S. – Hazaribagh, District – Hazaribagh.
4. The District Education Officer, Hazaribagh, having office at P.O. & P.S. – Hazaribagh, District – Hazaribagh.

**..... Respondents/Appellants**

**Versus**

Raj Kishore Prasad, son of Late Gaya Prasad, resident of Village – Madai Kala, Hazaribagh, P.O. – Sudhar Vidyalaya, P.S. – Hazaribagh, District – Hazaribagh, presently residing at New Colony, Barhi, P.O. & P.S. – Barhi, District - Hazaribagh.

**....Writ Petitioner/Respondent**

**With**

**L.P.A. No. 760 of 2019**

1. The State of Jharkhand through Secretary, School Education and Literacy Department, having office at Telephone Bhawan, Dhurwa, Ranchi, P.O. & P.S. - Dhurwa, Town and District- Ranchi;
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, Ranchi, P.O. & P.S. – Dhurwa, Town and District - Ranchi
3. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Bhawan, Dhurwa, Ranchi, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi
4. The Regional Deputy Director of Education, North Chota Nagpur Division, Hazaribagh, P.O. & P.S. – Hazaribagh, District - Hazaribagh
5. The District Education Officer, Koderma, having office at P.O. & P.S. – Koderma, District - Koderma

... ..

**Respondents/ Appellants**

**Versus**

Mahendra Prasad Yadav, son of Late Banwari Mahto, Assistant Teacher, Project Girls High School, Satgawan, resident of Village – Samaldih, P.O. – Basodih, P.S. – Satgawan, District - Koderma

... ..

**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 773 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S. Dhurwa, Town and District- Ranchi;
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District - Ranchi
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi
4. The District Education Officer, Pakur, having office at P.O. & P.S. –Pakur, District – Pakur
5. The Three Men Committee through its convenor namely Md. Saiyad Mobin Alam, Deptt. Of School Education & Literacy Project Bhawan, P.O. & P.S. Dhurwa & District Ranchi (now defunct)

... ..

**Respondents/Appellants**

**Versus**

Md. Mustasfa, son of Md. Abdul Majid, resident of Village- Hathkati, P.O. & P.S. – Hiranpur, District – Pakur, and posted as Assistant Teacher in Project Girls High School, Hiranpur, P.O. & P.S. Hiranpur, District – Pakur

... ..

**Writ Petitioner/Respondent**

**With  
L.P.A. No. 774 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S. Dhurwa, Town & District Ranchi
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
4. The District Education Officer, Pakur, having office at P.O. & P.S. Pakur, District Pakur                   ...                   ...                   **Respondents/Appellants**
5. The Three Man Committee through its Convener, namely, Md. Saiyad Mobin Alam, Deptt. Of School Education & Literacy, Project Bhawan, P.O. & P.S. Dhurwa & Distt. Ranchi (Now Defunct) (Performa)

**Versus**

Mithilesh Kumar Bhandari, son of Shree Mukhlal Bhandari, resident of Village- Dulmi, P.O.- Dulmi Danga, P.S. -Hiranpur, District- Pakur, and posted as Assistant Teacher in Project Girls High School, Hiranpur, P.O. & P.S. Hiranpur, District Pakur                   ...                   ...                   **Writ Petitioner/Respondent**

**With  
L.P.A. No. 775 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O & P.S.- Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, Dhurwa, P.O. & P.S.- Dhurwa, Town and District-Ranchi.
4. The District Education Officer, Pakur, having office at P.O. & P.S.- Pakur, District- Pakur.
5. The Three Man Committee through its Convenor namely Md. Saijad Mobin Alam, Deptt. of School Education & Literacy ,Project Bhawan, P.O. & P.S.- Dhurwa, Distt- Ranchi (Now Defunct)

...                   ...                   **Respondents/Appellants**

**Versus**

Mahendra Prasad Saha, son of Shree Jotin Lal Saha, resident of Village- Kusama, P.O. & P.S.- Hiranpur, District- Sahebganj, and posted as Teacher in Project Girls High School, Hiranpur, P.O. & P.S.- Hiranpur, District- Pakur                   ...                   ...                   **Writ Petitioner/Respondent**

**With  
L.P.A. No. 787 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi

2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag, P.O. & P.S. Hazaribag, District Hazaribag
4. The District Education Officer, Hazaribag, having office at P.O. & P.S. Hazaribag, District Hazaribag ... .. **Respondents/Appellants**

**Versus**

Kamlesh Kumar Sinha, son of Sri Nawal Kishore Prasad, resident of Mogalpura, Lala Toli, Patna City, P.O. & P.S. Patna, District Patna (Bihar), presently residing at Konra, Patna Road, Barhi, P.O. & P.S. Barhi, District Hazaribag ... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 788 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, Santhal Pargana Division , Dumka, P.O. & P.S- Dumka, District-Dumka.
4. The District Education Officer, Dumka (now Godda), having office at P.O. & P.S.- Godda, District- Godda.... .. **Appellants/Respondents**

**Versus**

Yugal Kishore Mishra , son of Sri Rudra Narayan Mishra, resident of Village- Dhudhichak, P.O.- Kasba Dhudhickak , P.S.- Meharma, District-Godda, an Assistant Teacher, Nageshwari Devi Project Girls High School Maharua Dhudhichak Via-Eshipur, P.O.-Kasba , Dist- Godda.

... .. **Writ Respondent/Petitioner**

**With**

**L.P.A. No. 789 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, P.O. & P.S. – Hazaribagh, District – Hazaribagh.
4. The District Education Officer, Koderma, having office at P.O. & P.S. – Koderma, District- Koderma. .... **Respondents/Appellants**

**Versus**

Brahmadeo Pandey, son of Late Tulsi Pandey, resident of Village – Tilokari, P.O. & P.S. – Sharma Tand, District - Koderma.

.... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 791 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having its office at



Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District-Ranchi;

2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag P.O. & P.S. – Hazaribag, District - Hazaribag
4. The District Education Officer, Ramgarh, having office at P.O. & P.S. – Ramgarh, District – Ramgarh. ... **Respondents/Appellants**

**Versus**

Chaudhary Mushar, son of Sri Bipat Mushar, resident of Village – Mandudih, P.O. – Mandu, P.S. – Mandu, District - Ramgarh

... ..

**Petitioner/Respondent**

**With**

**L.P.A. No. 792 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, P.O. & P.S. – Hazaribagh, District – Hazaribagh.
4. The District Education Officer, Ramgarh, having office at P.O. & P.S. – Ramgarh, District- Ramgarh. .... **Respondents/Appellants**

**Versus**

Kishor Kumar, son of Late Fekan Saw, resident of Village – Mandu, P.O. – Mandu, P.S. – Mandu, District - Ramgarh.

..... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 831 of 2019**

1. The State of Jharkhand through its Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag, P.O. & P.S. Hazaribag, District Hazaribag
4. The District Education Officer, Hazaribag, having office at P.O. & P.S. Hazaribag, District Hazaribag

...

...

**Respondents/Appellants**

**Versus**

Binod Kumar, son of Late Ram Kishun Prasad, resident of Village Bishunpur, P.O. Ranipur, P.S. Islampur, District Nalanda (Bihar), presently resident at Village Barhi, P.O. & P.S. Barhi, District Hazaribag

...

...

**Writ Petitioner/Respondent**



**With  
L.P.A. No. 838 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Telephone Building, P.O. & P.S. - Dhurwa, Town and District- Ranchi;
  2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi
  3. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi
  4. The District Education Officer, Pakur, having office at P.O. & P.S. – Pakur, District - Pakur
  5. The Three Men Committee, constituted in term of the direction of Apex Court given in Civil Appeal No.6626 of 2001 dated 3.1.2006 through its Convenor namely Md. Saiyad Mobin Alam, P.O. & P.S. – Dhurwa, District Ranchi (now defunct)... ..
- Respondents/Appellants**

**Versus**

Parmanand Pandey, son of Late Balbhadra Pandey, resident of Village – Nawada, P.O. – Pattarghatta, P.S. – Kahalgaon, District-Bhagalpur (Bihar) and posted as Assistant Teacher in Project Girls High School Pakuria, P.O. & P.S. – Pakuria, District-Pakur ... ..

**Petitioner/Respondent**

**With  
L.P.A. No. 839 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
  2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District - Ranchi.
  3. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
  4. The District Education Officer, Pakur, having office at P.O. & P.S. – Pakur, District- Pakur.
- .... Respondents/Appellants**

**Versus**

Vivekanand Tiwary, son of Shri Sahdeo Prasad Tiwary, resident of Village – Kamdeopur, P.O. – Kamdeopur, P.S. – Amarpur, District – Banka (Bihar) and posted as Assistant Teacher of Project Girls High School, Littipara, P.O. & P.S. – Littipara, District- Pakur.

**... Writ Petitioner/Respondent**

**With  
L.P.A. No. 844 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S. Dhurwa, Town & District Ranchi
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi

3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
4. The District Education Officer, Gumla, having office at P.O. & P.S. Gumla, District Gumla... .. **Respondents/Appellants**

**Versus**

1. Kunwar Prasad, son of Shri Khedan Prasad, resident of Village Chainpur, P.O. Tengaria, P.S. Palkot, District Gumla and an Assistant Teacher of Project Girls High School, Palkot, P.O. & P.S. Palkot, District Gumla  
... .. **Writ Petitioner/Respondent**

2. The Three Men Committee, through its Convener Md. Shayed Mobin Alam Department of School Education and Literacy, Project Bhawan, P.O. & P.S. Dhurwa, District Ranchi  
... .. **Respondent/Performa Respondent**

**With**

**L.P.A. No. 845 of 2019**

1. The State of Jharkhand through its Secretary, Human Resource Development Department (now known as School Education and Literacy Department), having office at Telephone Bhawan, P.O. & P.S. – Dhurwa, Town and District - Ranchi
2. The Secretary, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, Human Resources Development Department (now known as School Education and Literacy Department), having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
4. The District Education Officer, Koderma, having office at P.O. & P.S.- Koderma, District- Koderma.

... .. **Respondents/Appellants**

**Versus**

Suresh Prasad Yadav, son of Sri Basudeo Prasad Yadav, resident of Village – Bajjada, P.O. – Bajjada, P.S. – Sirdala, District – Gaya (Bihar) and posted as an Assistant Teacher in Project Girls High School, Satgawan, P.O. & P.S. – Satgawan, District- Koderma (Jhr)

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 846 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Telephone Building, P.O. & P.S. Dhurwa, Town & District Ranchi
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
4. The District Education Officer, Pakur, having office at P.O. & P.S. Pakur, District Pakur ... .. **Respondents/Appellants**

**Versus**

Bimalendu Das, son of Bhabesh Chandra Das, resident of Village Rodipur, P.O. Rodipur, P.S.-Maheshpur Raj, District Pakur and posted as Headmaster, Project Girls High School, Pakuria, P.O. & P.S. Pakuria, Dist. Pakur

...

**...Writ Petitioner/Respondent**

1. The Three Men Committee, constituted in terms of the direction of the Apex Court given in Civil Appeal No. 6626-75 of 2001 dated 3.1.2006 through its Convenor, namely, Md. Saiyad Mobin Alam, Post and P.S. – Hinoo, District Ranchi (now defunct)

**..... Respondent/Performa Respondent**

**With**

**L.P.A. No. 847 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, Town and District-Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chotanagpur Division, Hazaribag, P.O & P.S- Hazaribag, District- Hazaribag.
4. The District Education Officer, Chatra, having office at P.O & P.S- Chatra, District- Chatra. ... ..

**Respondents/Appellants**

**Versus**

Amarjeet, son of Sri Shiv Sharan Singh, resident of Village- Banasadi, P.O & P.S- Simariya, District- Chatra, presently residing at New Area, 3<sup>rd</sup> Lane, P.O- Hazaribag, P.S- Sadar, District- Hazaribag.

... ..

**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 848 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Bhawan, P.O. & P.S. Dhurwa, Town and District-Ranchi.
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Bhawan, P.O. & P.S- Dhurwa, Town and District-Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Bhawan, P.O. & P.S. Dhurwa, Town and District- Ranchi.
4. The District Education Officer, Pakur, having office at P.O. & P.S- Pakur, District-Pakur. ....

**Respondents/Appellants**

**Versus**

Madhusudan Rakshit, Son of Late Ratnakar Rakshit, resident of Village Hiranpur Bazar, P.O. and P.S-Hiranpur, District-Pakur and posted as an Assistant Teacher in Project Girls High School, Hiranpur, P.O and P.S. Hiranpur, District Pakur.

**...Writ Petitioner/Respondent**

**With**

**L.P.A. No. 853 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at

Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, Town and District- Ranchi.

2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, North Chhotanagpur Division, Hazaribagh, P.O & P.S- Hazaribagh, District- Hazaribagh.
4. The District Education Officer, Koderma, having office at P.O & P.S- Koderma, District- Koderma. ... .. **Respondents/Appellants**

**Versus**

1. Saroj Devi, wife of Late Prabhash Kumar Sahu, resident of Village-Jay Nagar, P.O & P.S- Jay Nagar, District- Koderma.
2. Pooja Kumari, daughter of Late Prabhash Kumar Sahu, resident of Village- Jay Nagar, P.O & P.S- Jay Nagar, District- Koderma.

... .. **Writ Petitioners/Respondents**

**With**

**L.P.A. No. 854 of 2019**

1. The State of Jharkhand through its Principal Secretary, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi
2. The Director, Secondary Education, Human Resource Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi
3. The Regional Deputy Director of Education, Palamau Division, Palamau, P.O. & P.S. Daltonganj, District Palamau
4. The District Education Officer, Palamau (now Latehar), having office at P.O. & P.S. Latehar, District Latehar

...

...

**Respondents/Appellants**

**Versus**

1. Navin Kumar, son of Late Suresh Rai, resident of Village & Post Balumath, P.S. Balumath, Dist. Latehar
2. Satendra Kumar Sharma, son of Late Indradeo Sharma, resident of Village Naradidih, Post Naradiganj, P.S. Naradiganj, District Nawada (Bihar)
3. Umesh Prasad Sinha, son of Sri Krishna Prasad, resident of Village and Post Balumath, P.S. Balumath, District Latehar
4. Harendra Kumar, son of Late Sheonandan Singh, resident of Village and Post Balumath, P.S. Balumath, District Latehar

The Respondent No. 1/ writ petitioner No. 1 is Acting Headmaster and Respondent Nos. 2 to 4 / writ petitioner Nos. 2 to 4 are Assistant Teachers of Project Indira Gandhi Memorial Girls High School, Balumath, P.S. Balumath, Dist. Latehar

...

...

**Writ Petitioners/Respondents**

**With**

**L.P.A. No. 862 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan , Dhurwa, P.O. & P.S- Dhurwa, Town and District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy

Department, Government of Jharkhand, having office at Telephone Bhawan ,  
Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.

3. The Regional Deputy Director of Education, Santhal Pargana Division  
Dumka, P.O & P.S- Dumka, District- Dumka.

4. The District Education Officer, Pakur, having office at P.O & P.S- Pakur  
District- Pakur..

... .. **Respondents/Appellants**

**Versus**

Abdul Gaffar, son of Late Abdul Sattar, resident of Village & P.O- Udhwa,  
P.S- Radha Nagar, District- Sahibganj.

... ..

**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 863 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of  
School Education and Literacy, Government of Jharkhand having office at  
Telephone Building, HEC Area, P.O & P.S- Dhurwa, Town and District-  
Ranchi.

2. The Principal Secretary, Department of School Education and Literacy ,  
Government of Jharkhand, having office at Telephone Building, HEC Area,  
P.O & P.S- Dhurwa, Town and District- Ranchi.

3. The Director, Secondary Education, School Education and Literacy  
Department, Government of Jharkhand, having office at Telephone Building,  
HEC Area, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.

4. The Regional Deputy Director of Education, Santhal Pargana Division,  
Dumka, P.O & P.S- Dumka, Town and District- Dumka.

5. The District Education Officer, Sahebganj (now Pakur), having office  
at P.O & P.S- Pakur, District- Pakur.

... .. **Respondents/Appellants**

**Versus**

Abdul Latif Ansari, son of Meraj Hossain, resident of Village- Pakurhiya,  
P.O & P.S- Pakurhiya, District- Sahebganj (now Pakur).

... ..

**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 864 of 2019**

1. The State of Jharkhand.

2. The Principal Secretary, School Education and Literacy Department,  
Government of Jharkhand, having office at Project Building, P.O. & P.S. –  
Dhurwa, Town and District - Ranchi.

3. The Director, Secondary Education, School Education and Literacy  
Department, Government of Jharkhand, having office at Project Building,  
Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.

4. The Regional Deputy Director of Education, Santhal Pargana Division,  
Dumka, having office at P.O. & P.S. – Dumka, District – Dumka.

5. The District Education Officer, Dumka, having office at P.O. & P.S. –  
Dumka, District- Dumka.

..... **Respondents/Appellants**

**Versus**

Md. Alauddin Ansari, son of Late Safaruddin Miya, resident of Village &  
P.O. – Kalajher, P.O. – Kalajher, P.S. – Kathikund, District - Dumka.

... .... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 865 of 2019**

1. The State of Jharkhand through its Secretary, School Education and



Literacy Department, having office at Telephone Bhawan , P.O. & P.S-  
Dhurwa, Town and District- Ranchi.

2. The Secretary, School Education and Literacy Department,  
Government of Jharkhand, having office at Telephone Bhawan , P.O & P.S-  
Dhurwa, Town and District- Ranchi.

3. The Director Secondary Education, School Education and Literacy  
Department, having office at Telephone Bhawan, Dhurwa, P.O & P.S-  
Dhurwa, Town and District- Ranchi.

4. The District Education Officer, Pakur, having office at P.O & P.S- Pakur  
District- Pakur.

... .. **Respondents/Appellants**

**Versus**

Giridhari Das, son of Sri Nepur Das, resident of Village & P.O - Amrapara,  
P.S- Amrapara, District- Pakur, posted as an Acting Headmaster of Project  
Girl's High School, Amrapara, District- Pakur

... .. **Writ Petitioner/Respondent**

2. The Three Men Committee Constituted under the order of the Aped Court,  
passed in Civil Appeal No. 6626-75 of 2001 in the State of Jharkhand,  
through its Convener (now defunct), having office at Project Bhawan, P.O &  
P.S- Dhurwa, District- Ranchi. .... **Respondent/Performa Respondent**

**With**

**L.P.A. No. 866 of 2019**

1. The State of Jharkhand through the Chief Secretary, having office at  
Project Building, Dhurwa P.O. & P.S. Dhurwa, Town and District Ranchi

2. The Principal Secretary, Department of Human Resources Development  
(now known as School Education and Literacy Department), Government  
of Jharkhand, having office at Project Bhawan, P.O. & P.S. Dhurwa, Town  
and District Ranchi

3. The Director (Secondary Education), Department of Human Resources  
(now known as School Education and Literacy Department), Government  
of Jharkhand, having office at Project Building, P.O. & P.S. Dhurwa,  
Town and District Ranchi

4. The District Education Officer, West Singhbhum, having office at P.O. &  
P.S. Chaibasa, District West Singhbhum

... .. **Respondents/Appellants**

**Versus**

Ramesh Chandra Mahto, son of Ganesh Chandra Mahto, Assistant Teacher,  
Project Girls High School, Kamardungi, Singhbhum West, resident of Village  
Kamardungi, P.O. & P.S. Kamardungi, District Singhbhum West

... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 868 of 2019**

1. The State of Jharkhand through the Secretary, School Education and  
Literacy Department, having office at Telephone Building, P.O. & P.S. -  
Dhurwa, Town and District- Ranchi;

2. The Secretary, School Education and Literacy Department, Government  
of Jharkhand, having office at Telephone Building, P.O. & P.S. – Dhurwa,  
Town and District - Ranchi

3. The Director, Secondary Education, School Education and Literacy  
Department, having office at Telephone Building, Dhurwa, P.O. & P.S. –  
Dhurwa, Town and District – Ranchi



4. The District Education Officer, Pakur, having office at P.O. & P.S. – Pakur, District – Pakur ... .. **Respondents/Appellants**

**Versus**

1. Mustakim Saikh, son of Late Abdul Halim, resident of Village – Radeipur, P.O. – Radeipur, P.S. – Maheshpur, District – Pakur, posted as teacher
2. Krishna Mohan Bhaga, son of Late Kamla Prasad Bhagat, resident of Village – Sabalpur, P.O.-Sabalpur, P.S. – Barahat, District – Banka (Bihar) posted as Teacher
3. Hasna Heena, wife of Md. Mazzarrul Haque, resident of Rampurhat, P.O. & P.S. – Rampurhat, District – Birbhum (West Bengal) was posted as teacher but now retired
4. Shalik Kumar Yadav, son of late Yamuna Prasad Yadav, resident of Maheshpur, P.O. & P.S. – Maheshpur, District – Pakur was posted as clerk now retired.
5. Manju Mishra, wife of Late Madan Mohan Mishra, resident of Village – Balia Patra, P.O. – Rolagram, P.S. – Maheshpur, District – Pakur widow of late Madan Mohan Mishra, who was posted as teacher at Rajiv Gandhi Project Girls High School, Maheshpur, P.O. & P.S. – Maheshpur, District – Pakur ... .. **Writ Petitioners/Respondents**

**With**

**L.P.A. No. 883 of 2019**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S- Dhurwa, District- Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, Palamau, P.O & P.S- Medninagar, District- Palamau.
4. The District Education Officer, Palamau, having office at P.O & P.S- Medninagar, District- Palamau.... .. **Respondents/Appellants**

**Versus**

Banaras Singh, son of Late Ram Sewak Singh, resident of Village- Pakra Kala, P.O. & P.S.- Panki, District- Palamau. ... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 884 of 2019**

1. The State of Jharkhand.
2. The Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The Regional Deputy Director of Education, Santhal Pargana Division, Dumka, having office at P.O. & P.S. – Dumka, District – Dumka.
5. The District Education Officer, Godda, having office at P.O. & P.S. – Godda, District – Godda. .... **Respondents/Appellants**

**Versus**

Sanjeev Kumar Choudhary, son of Late Chhatradhari Choudhary resident of

Village - Motia, P.O. – Motia-Dumaria, P.S. - Godda, District - Godda.

.....**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 899 of 2019**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Project Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The District Education Officer, Koderma, having office at P.O. & P.S. – Koderma, District – Koderma.

..... **Respondents/Appellants**

**Versus**

1.Raj Ratanam, son of Sri Bishnu Kumar Singh, resident of Village & P.O. - Silao, P.S. – Silao, District – Nalanda (Bihar) and presently posted as Assistant Teacher in Project Girls High School, Satgawan, P.O. & P.S. – Satgawan District- Koderma.

...**Writ Petitioner/Respondent**

2.The Three Men committee, through its Convenor, Md. Saiyad Mobin Alam, Additional District and Sessions Judge, Department of School Education and Literacy, Govt. of Jharkhand, Project Building, P.O. & P.S. – Dhurwa, District – Ranchi (now defunct).

... .. **Respondent/Performa Respondent**

**With**

**L.P.A. No. 900 of 2019**

1. The State of Jharkhand.
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi.
3. The Director, (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. Dhurwa, Town and District Ranchi.
4. The District Education Officer, Saraikela-Kharsawan, having office at P.O. & P.S. Saraikela-Kharsawan, District Saraikela-Kharsawan.

.... **Respondents/Appellants**

**Versus**

Pradip Kumar Mahto, son of Sri Umakant Mahto, Assistant Teacher, Project Girls High School, Gaurangkocho, P.O-Gaurangkocho, P.S.-Gaurangkocho, District- Saraikela-Kharsawan.

...**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 901 of 2019**

1. The State of Jharkhand through the Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S. Dhurwa, Town and District Ranchi

2. The Principal Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S.- Dhurwa, Town and District- Ranchi
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, HEC Area, P.O. & P.S.- Dhurwa, Town and District- Ranchi
4. The Regional Deputy Director of Education, South Chhotanagpur Division, Ranchi, P.O- GPO, PS- Kotwali, Town and District- Ranchi
5. The District Education Officer, Lohardaga, having office at P.O. & P.S. Lohardaga, District Lohardaga

... Respondents/Appellants

## Versus

Muneshwar Mahato, son of Sri Kolha Mahato, resident of Village Sobran Toli, College Road, P.O. & P.S. Juria, District Lohardaga. An assistant Teacher of Project Bansidhari Girls High School, Bhandra, PO + PS Bhandra, Dist. Lohardaga

... Writ Petitioner/Respondent

**With**

**L.P.A. No. 25 of 2020**

1. The State of Jharkhand through the Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District-Ranchi.
2. The Secretary, Department of School Education and Literacy, Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S.- Dhurwa, Town and District-Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
4. The District Education Officer, Khunti (earlier Ranchi), having office at P.O., P.S. & District- Khunti.

...      ...      **Appellants/Respondents**

## Versus

Dharnath Yadav, son of Sri Birsa Yadav, resident of Village- Gobaidih,

P.O.- Navadih, P.S.- Bundu, District- Ranchi and posted as an Assistant Teacher in Project Girls High School, Araki, P.O. & P.S.- Araki, District- Khunti.

... .. **Writ Respondent/Petitioner**

**With**

**L.P.A. No. 40 of 2020**

1. The State of Jharkhand through the Chief Secretary, Government of Jharkhand, Project Bhawan, P.O. & P.S- Dhurwa, District-Ranchi.
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District -Ranchi.
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District- Ranchi.
4. The District Education Officer, Singhbhum West at Chaibasa, having office at P.O. & P.S. Chaibasa, District West Singhbhum.

**....Respondents/Appellants**

**Versus**

1. Yashwanti Sawaiyan, daughter of Late Dumbi Sawaiyan, Assistant Teacher, Project Girls High School, Bharbharia Manjhari, resident of Village-Bharbharia, P.O. Bharbharia, P.S. Manjhari, District Singhbhum West.
2. Kashmira Birua, daughter of Late Madhav Chandra Birua, Assistant Teacher, Project Girls High School, Bharbharia Manjhari, resident of Village Bharbharia, P.O.- Bharbharia, P.S. Manjhari, District- Singhbhum West.
3. Dashmati Birua, daughter of late Shiv Charan Birua, Assistant Teacher, Project Girls High School, Bharbharia Manjhari, resident of Village-Bharbharia, P.O.-Bharbharia, P.S- Manjhari, District-Singhbhum West.

**...Writ Petitioners/Respondents**

**With**

**L.P.A. No. 55 of 2020**

1. The State of Jharkhand through the Chief Secretary, Government of Jharkhand, Project Bhawan, P.O & P.S- Dhurwa, District- Ranchi..
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O & P.S.- Dhurwa, Town and District- Ranchi.
3. The Director, (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O & P.S.- Dhurwa, Town and District- Ranchi.
4. The Regional Deputy Director of Education, Kolhan Division Chaibasa, having office at P.O & P.S- Chaibasa, District- Singhbhum West.
5. The District Education Officer, Singhbhum West at Chaibasa, having office at P.O. & P.S.- Chaibasa, District- West Singhbhum.

... .. **Respondents/Appellants**

**Versus**

Ritambhara Kumari, wife of Raj Kishore Prasad Assistant Teacher, Project

Girls High School, P.O- Kotgarh, P.S.- Nawamundi, District- Singhbhum West. ... .. **Writ Petitioner/Respondent**

**With**  
**L.P.A. No. 59 of 2020**

1. The State of Jharkhand.
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O & P.S.- Dhurwa, Town and District- Ranchi.
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O & P.S.- Dhurwa, Town and District- Ranchi.
4. The Regional Deputy Director of Education, Singhbhum West at Chaibasa, having office at P.O & P.S- Chaibasa, District- Singhbhum West.
5. The District Education Officer, Singhbhum West at Chaibasa, having office at P.O. & P.S.- Chaibasa, District- Singhbhum West.

... .. **Respondents/Appellants**

**Versus**

Rama Shankar Pradhan, son of Late Bahadula Pradhan, resident of Village- Golmunda, P.O. & P.S- Sonua, District- Singhbhum West.

... .. **Writ Petitioner/Respondent**

**With**  
**L.P.A. No. 62 of 2020**

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O. & P.S. – Dhurwa, Town and District – Ranchi
3. The Director (Secondary Education), Department of Human Resources (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Building, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi
4. The District Education Officer, Singhbhum West at Chaibasa, having office at P.O. & P.S. – Chaibasa, District – Singhbhum West

... .. **Respondents/Appellants**

**Versus**

Madhav Chandra Kunkal, son of Late Abhiram Kunkal, Assistant Teacher, Project Girls High School, Bharbhariya, Manjhari, Singhbhum West, resident of Villagae & P.O. – Gitilipi, P.S. – Manjhari, District – Singhbhum West

... .. **Petitioner/Respondent**

**With**  
**L.P.A. No. 73 of 2020**

1. The State of Jharkhand.
2. The Principal Secretary, School Education and Literacy, Government of Jharkhand, having office at Project Building, P.O. & P.S- Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Govt. of Jharkhand, having office at Project Building, Dhurwa,

P.O & P.S- Dhurwa, Town and District- Ranchi.

4. The Regional Deputy Director of Education, Santhal Pargana Division, Dumka having office at P.O, P.S & District- Dumka,

5. The District Education Officer, Dumka, having office at P.O & P.S- Dumka, District- Dumka.

... .. **Respondents/Appellants**

**Versus**

Anjleena Hansdak, wife of Nicolas Tudu, resident of Village & P.O- Ranga, P.S.- Gopikander, District- Dumka.

... **Writ Petitioner/Respondent**

**With**  
**L.P.A. No. 107 of 2020**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District-Ranchi.
4. The Regional Deputy Director of Education, Santhal Pargana, Dumka, P.O. and P.S.- Dumka, District- Dumka.
5. The District Education Officer, Dumka, having office at P.O. and P.S. Dumka, District Dumka.

.... **Respondents/Appellants**

**Versus**

Shukdeo Sah, Son of Sri Krishna Prasad Sah, an Assistant Teacher of Project Girls High School, Gopikandar, P.O. and P.S. Gopikandar, District Dumka, resident of Village Kathikund, P.O. and P.S. Kathikund, District Dumka.

... **Writ Petitioner/Respondent**

**With**  
**L.P.A. No. 108 of 2020**

1. The State of Jharkhand through the Secretary, Human Resources Development Department (now known as School Education and Literacy



Department), having office at Telephone Building, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.

2. The Director, (Secondary Education) , Human Resources Development (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan , Dhurwa, P.O & P.S.- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, Santhal Pargana, Dumka, , P.O & P.S- Dumka, District- Dumka
4. The District Education Officer, Dumka, having office at P.O. & P.S.- Dumka, District- Dumka.
5. Principal Secretary, Human Resources Development Department, Telephone Bhawan, Dhurwa, Ranchi. ... .. **Respondents/Appellants**

**Versus**

Rajib Ranjan Singh, son of Late Jagdamba Prasad Singh, an Assistant Teacher, Project Girls High School, Saraiyahat, P.O & P.S- Saraiyahat, District- Dumka, and resident of Village- Shiv Nagar, P.O.- Mohni, P.S- Poraiyahat, District- Godda. ... .. **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 130 of 2020**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Telephone Building, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, P.O. & P.S. Dhurwa, Town and District Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Building, P.O. & P.S-Dhurwa, Town and District-Ranchi.
4. The District Education Officer, Palamau, having office at P.O. & P.S- Daltonganj, District-Palamau. ....**Respondents/Appellants**

**Versus**

Shri Krishna Singh, son of Shree Uday Narain Singh, resident of Village- Kelhar, P.O. & P.S.-Patan, District-Palamau, and posted as Assistant Teacher in Project Girls High School, Patan, P.O. & P.S. Pataa, District Palamau. ...**Writ Petitioner/Respondent**

**With**

**L.P.A. No. 132 of 2020**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Telephone Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Secretary, Department of School Education and Literacy

Department, Government of Jharkhand, having office at Telephone Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.

3. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.

4. The District Education Officer, Palamau, having office at P.O. & P.S. – Daltonganj, District – Palamau. .... **Respondents/Appellants**

**Versus**

Punam Sahay, daughter of Late Gulab Chand Prasad, resident of Village – Daltonganj, P.O. & P.S. – Daltonganj, District – Palamau and posted as Assistant Teacher in Project Girls High School, Patan, P.O. & P.S. – Patan, District – Palamau. .... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 142 of 2020**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
3. The Regional Deputy Director of Education, Division-Palamau, P.O. and P.S. Medninagar, District Palamau.
4. The District Education Officer, Palamau, having office at P.O. and P.S.-Medninagar, District-Palamau.

.... **Respondents/Appellants**

**Versus**

Satish Kumar Dubey, son of Sri Vidya Shankar Dubey, resident of Village Khiribar, P.O.-Purabdiha, P.S. Chainpur, District Palamau.

... ... **Writ Petitioner/Respondent**

**With**

**L.P.A. No. 152 of 2020**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
2. The Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Building, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The Regional Deputy Director of Education, Palamau Division, Palamau, P.O. & P.S. – Medninagar, District – Palamau.

5. The District Education Officer, Palamau, having office at P.O. & P.S. – Medninagar, District – Palamau.

..... Respondents/Appellants

**Versus**

Binod Kumar Pandey, son of Late Ram Lakhan Pandey, at present working and posted as Assistant Teacher, Indira Gandhi Project Girls High School, Tarhasi (Manatu), P.O. & P.S. – Tarhasi, Block – Manatu/Tarhasi, District – Palamau.

... .. Writ Petitioner/Respondent

**With**

**L.P.A. No. 153 of 2020**

1. The State of Jharkhand through the Principal Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Director, Secondary Education, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O. & P.S.- Dhurwa, Town and District- Ranchi.
3. The Regional Deputy Director of Education, Division Palamau, P.O. & P.S. Medninagar, District Palamau.
4. The District Education Officer, Palamau, having office at P.O. & P.S. Medninagar, District Palamau.

..... Respondents/Appellants

**Versus**

Niranjan Prasad, Son of Late Janki Sahu, resident of Village Bedani Kala, P.O. & P.S. Tarhasi, District Palamau.

... Writ Petitioner/Respondent

**With**

**L.P.A. No. 164 of 2020**

1. The State of Jharkhand through the Principal Secretary, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, Dhurwa, P.O.- HEC, Area & P.S.- Dhurwa, Town and District- Ranchi.
2. The Principal Secretary, Human Resources Development Department (now known as School Education and Literacy Department), Government of Jharkhand, having office at Telephone Bhawan, P.O- HEC Area & P.S- Dhurwa, Town and District- Ranchi.
3. The Director (Secondary Education), Human Resources Development Department (now known as School Education and Literacy Department), having office at Telephone Bhawan Dhurwa, P.O-HEC Area & P.S-Dhurwa, Town and District-Ranchi.
4. The Regional Deputy Director of Education, Palamau Division, Palamau, having office at P.O & P.S- Medaninagar, District- Palamau.
5. The District Education Officer, Palamau, having office at P.O & P.S- Medaninagar, District- Palamau.

..... Respondents/Appellants

**Versus**

Ainul Haque Ansari @ Annual Haque, son of Late Abdul Haque resident of Village- Tarhasi, P.O & P.S- Tarhasi, District- Palamau and posted as an Assistant Teacher in Indira Gandhi Project Girls High School, Tarhasi, P.O. & P.S- Tarhasi, District- Palamau.

.... Writ Petitioner/Respondent

**With  
L.P.A. No. 167 of 2020**

1. The State of Jharkhand through the Secretary, Human Resources Development Department (now known as School Education and Literacy Department), having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
2. The Director, (Secondary Education), Human Resources Development Department (now known as School Education and Literacy Department), having office at Telephone Bhawan, Dhurwa, P.O. & P.S. Dhurwa, Town and District Ranchi.
3. The Regional Deputy Director of Education, Palamau Division, Palamau, P.O. & P.S. Daltonganj, District Palamau.
4. The District Education Officer, Palamau, having office at P.O. & P.S. Daltonganj, District Palamau.

**....Respondents/Appellants**

**Versus**

1. Akramul Haque, Son of Late Abdul Aziz Khan,
  2. Fahimuddin Khan, Son of Ros Mohammad Khan,
  3. Ajay Kumar Pandey, Son of Late Ram Surat Pandey,
- All are the Assistant Teachers of Rajmata Prafful Manzari Kanya Uchcha Vidyalaya, Raj Chainpur, P.O. & P.S. Chainpur, District Palamau and all are resident of village- Rajchainpur, P.O. & P.S. Chainpur, District Palamau, State-Jharkhand.

**...Writ Petitioners/Respondents**

**With  
L.P.A. No. 168 of 2020**

1. The State of Jharkhand through the Secretary, School Education and Literacy Department, having office at Telephone Bhawan (HEC), P.O. & P.S- Dhurwa, Town and District- Ranchi.
2. The Secretary, School Education and Literacy Department, Government of Jharkhand, having office at Telephone Bhawan (HEC), P.O & P.S- Dhurwa, Town and District- Ranchi.
3. The Director, Secondary Education, School Education and Literacy Department, having office at Telephone Bhawan, Dhurwa, P.O & P.S- Dhurwa, Town and District- Ranchi.
4. The District Education Officer, Palamau having office at P.O & P.S- Medaninagar, District- Palamau.

**... Respondents/Appellants**

**Versus**

1. Sikander Choudhary, son of Late Ramesh ray Choudhary, resident of Village & P.O- Gidha, Derhgaon, P.S.- Sasaram, District- Rohtas (Bihar) Presently Posted as Assistant teacher in Project Girl's High School, Patan, P.O & P.S- Patan, Dist- Palamau. ... **Writ Petitioner/Respondent**
2. The Three Man Committee, through its Convenor, Md. Saiyad Mobin Alam, Dept. of School Education and Literacy, having office at Telephone Bhawan (HEC), P.O & P.S- Dhurwa, Town and District- Ranchi. (now defunct)

**..... Respondent/Performa Respondent**

**With  
L.P.A. No. 219 of 2021**

1. The State of Jharkhand through its Secretary, Department of School Education and Literacy, Government of Jharkhand, Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, District - Ranchi.

2. The Secretary, Department of School Education and Literacy, Government of Jharkhand, Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, District - Ranchi.
3. The Director (Secondary Education), Department of School Education and Literacy Department, having office at Telephone Bhawan, Dhurwa, P.O. & P.S. – Dhurwa, Town and District – Ranchi.
4. The District Education Officer, Pakur, P.O. & P.S. – Pakur, District- Pakur.

**..... Respondents/Appellants**

**Versus**

1. Rajendra Prasad Sukla, aged about 63 years, son of Chandra Shekhar Sukla, an Assistant Teacher in Project Girls High School, Amarapara, P.O. & P.S. Amarapara, District – Pakur, and resident of Village – Govindpur, P.O. Itahari, P.S. Mehrama, District - Godda.

**...Writ Petitioner/Respondent**

2. The Three Men Committee constituted under the order of Apex Court, passed in Civil Appeal No. 6626-81 of 2001 in the State of Jharkhand, through its Convener (now defunct), having office at Project Bhawan, P.O. & P.S. Dhurwa, District – Ranchi.

**....Respondent/Performa Respondent**

**With**

**L.P.A. No. 245 of 2021**

1. The State of Jharkhand through its Secretary, Human Resources Development Department, Telephone Bhawan, Dhurwa (now School Education Literacy Department), MDI Building, P.O. & P.S- Dhurwa, District- Ranchi.
2. Director, Secondary Education, Human Resources Development Department, Telephone Bhawan, Dhurwa (now School Education Literacy Department), MDI Building, P.O. & P.S- Dhurwa, District- Ranchi.
3. Regional Deputy Director of Education, Kolhan Division, Medininagar, P.O. & P.S.- Medininagar, District- Palamau.
4. District Education Officer, Palamau, P.O & P.S- Palamau, District- Palamau.

**... .. Respondents/Appellants**

**Versus**

Basant Prasad, son of Late Bindeshwari Sao, an In-charge Headmaster, Project Saraswati Girls High School, P.O. & P.S.- Patan, Dist.- Palamau, resident of Village- Samari, P.O. & P.S.- Patan, District- Palamau

**... .. Petitioner/Respondent**

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**CORAM: HON'BLE THE ACTING CHIEF JUSTICE**

**HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY**

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For the Appellants/State	: Mr. Sachin Kumar, AAG-II Mr. Gaurav Raj, AC to AAG-II : Mr. Sreenu Garapati, SC-III Ms. Divya, AC to SC-III
For the State of Bihar	: Mr. S.P. Roy, GA (Bihar) Mr. Diwakar Upadhyay, JC to GA (Bihar) Mr. Binit Chandra, JC to GA (Bihar)
For the Respondents	: Mr. J.P. Jha, Sr. Advocate : Mr. Ajit Kumar, Sr. Advocate Mr. Saurabh Shekhar, Advocate Mr. Anurag Kumar, Advocate

: Mr. Sanjay Kumar Pandey, Advocate  
 Mr. Sanjit Kumar, Advocate  
 : Mr. Indrajit Sinha, Advocate  
 Miss Sonal Jaiswal, Advocate  
 : Mr. Santosh Kumar Jha, Advocate  
 : Mr. Arbind Jha, Advocate  
 : Mrs. Subha Jha, Advocate  
 Mrs. Tejaswi, Advocate  
 : Mr. Bijay Kumar Pandey, Advocate  
 Ms. Anjana Kumari, Advocate  
 : Mr. Subodh Kumar Pandey, Advocate  
 : Mr. Ravi Kumar, Advocate  
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## **J U D G M E N T**

CAV on 11<sup>th</sup> December 2023

Pronounced on 19<sup>th</sup> January 2024

*Per, Shree Chandrashekhar, A.C.J.*

These Letters Patent Appeals have been filed by the State of Jharkhand to challenge the order dated 5<sup>th</sup> September 2018 passed in W.P.(S) No.921 of 2011 and analogous cases. One of these appeals (LPA No.155 of 2020) arises out of Civil Review No.80 of 2018 which was preferred by the State of Jharkhand against the order passed in WP(S) No.5994 of 2013. The State of Jharkhand has questioned the legality of the directions issued by the writ Court for modifying the policy decision in the Resolution dated 25<sup>th</sup> April 2018; one of the directions is to regularize the untrained teachers.

2. Briefly stated, the State of Bihar mooted a scheme to establish Project Schools in every Block across the State for imparting education to the children. The policy decision of the State of Bihar in this regard was contained in Circular dated 27<sup>th</sup> May 1981. Under the scheme, four Project Schools including a Girls High School were to be established in each Block in different phases. In the “first phase”<sup>1</sup>, 150 Project Schools were established but in the subsequent years the scheme was stalled and no progress for the opening of the Project Schools was made. Later, the State of Bihar decided to select 300 more Schools during the “second phase”<sup>2</sup> which were to be taken over as the Project Schools. The State Government selected and notified 75 such schools through letter no.108 dated 12<sup>th</sup> February 1985 which were to be established with the assistance of the local people and a 3-man Committee was constituted to select

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<sup>1</sup> The period 1981-82 is referred to as “first phase”

<sup>2</sup> The period 1984-85 is referred to as “second phase”



the remaining 225 schools. At this stage, this is necessary to indicate that in the first phase<sup>1</sup> the Project Schools were established by the State Government and its management and control also remained with the State Government. In the second phase<sup>2</sup>, the High Schools managed by the local people were identified for being taken over and to be established as the Project Schools. The manner of selection of the schools for establishment of the Project Schools was provided in the letter dated 23<sup>rd</sup> February 1985 under which the establishment of schools at the Block headquarters was the first and foremost priority. It was further provided that the selection of the school where more than one school was established in the Block shall be based on the date of permission for the establishment and physical resources provided in the school. In the “second phase”<sup>2</sup>, the qualification for appointment of the teacher and the maximum number of teachers in the school were changed and a government letter dated 4<sup>th</sup> February 1989 was issued in this regard. Under this government letter, one of the conditions for the appointment of a teacher was that he must have been working in the school as of that date and his appointment was made by the Managing Committee before the permission was granted to establish the school.

3. A large number of writ petitions were filed in the Patna High Court to challenge the government letter dated 4<sup>th</sup> February 1989 and after a long-drawn legal battle the controversy was set at rest by the decision of the Full Bench of the Patna High Court. In the judgment dated 7<sup>th</sup> December 1999 delivered in “*Project Uchcha Vidyalaya (F.B)*”<sup>3</sup>, the Full Bench of the Patna High Court held that the establishment/take-over of the schools was a continuous process under the scheme envisaged by the government and, therefore, the mode and manner of selection of the teachers and criteria applied in the first phase<sup>1</sup> shall be applied in the selection made during 1984-85. It was further held that the staffing pattern of the teachers including Headmasters/Headmistress shall be as prescribed in the government letter dated 12<sup>th</sup> October 1982 and untrained teachers would also be eligible for appointment. Against the judgment of the Full Bench of the Patna High Court, the State of Bihar filed Special Leave Petitions which were disposed of by a judgment in “*Project Uchcha Vidya (S.C)*”<sup>4</sup> wherein the Hon’ble Supreme Court did not approve

<sup>3</sup> Project Uchcha Vidyalaya Shikshak Sangh v. State of Bihar & Ors. : 2000 (1) PLJR 287

<sup>4</sup> State of Bihar v. Project Uchcha Vidya, Sikshak Sangh : (2006) 2 SCC 545

the view taken by the Full Bench of the Patna High Court that the State of Bihar could not have changed the qualification criteria for the appointment of the Assistant Teachers and expressly held that the State Government has powers to withdraw or modify a policy decision. The Hon'ble Supreme Court issued a direction to constitute a committee to scrutinize the claims of the schools and/or the teaching and non-teaching staffs; pursuant thereto Alam Committee was constituted.

4. Several years after the Alam Committee submitted its report, the respondents herein started filing writ petitions with a host of grievances against their exclusion in the report of Alam Committee. About 227 writ petitions were filed over a period of the next 8 years which were clubbed together and disposed of by a common order dated 5<sup>th</sup> September 2018. During pendency of the writ petitions, the State of Jharkhand took a policy decision to form a committee to select the trained teachers who were not approved in the report of the Alam Committee. By the Resolution dated 25<sup>th</sup> April 2018, the State of Jharkhand prescribed guidelines for identifying the teachers who were working in the Project Schools before its establishment and, as regards the qualification of the teachers, it adopted the criteria laid down in the letter dated 4<sup>th</sup> February 1989. The writ Court reflected on the Resolution dated 25<sup>th</sup> April 2018 and held that certain portions of the government decision are required to be modified; leaving the host of prayers made in the writ petitions unattended.

5. In the aforementioned batch of writ petitions, the following directions have been issued by the writ Court:

“18. In view of the abovementioned facts, the following clarifications/ corrections/ additions are required to be brought in the Notification dated 25.04.2018, by way of bringing appropriate Corrigendum by the State Govt. keeping in view following points:-

(i) The untrained teachers have to be absorbed in the regular services though initially in the untrained scale but with a condition to complete their teachers' training course/B.Ed. course within a stipulated time period to be decided by the Govt. and on successful completion of the said course they may be granted the benefits of trained scale.

(ii) The post of 'other teachers' (minority language, music, arts, commerce, anyone amongst all on the basis of seniority) has to be accepted as 9<sup>th</sup> post in the MANAK MANDAL. Further, teachers appointed prior to coming into effect of the letter dated 04.02.1989 and duly appointed by the Managing Committee of the Schools concerned shall be taken care of by giving

necessary relaxation as has been done during the absorption of teachers in the 1<sup>st</sup> phase.

(iii) The cases where schools are to be closed, the teachers shall be regularized/absorbed by making adjustments in other Government schools on regular basis.

(iv) Such Non-teaching staff, whose cases have been rejected by Alam Committee, on the ground that subsequent Govt. appointees were also deputed/appointed on the same post, their services would be absorbed on the same sanctioned post, and the deputies would be adjusted / repatriated to their original cadre.

(v) The Alam Committee's report will not come into the way of absorption of employees, if such cases have been rejected by Alam Committee on the principles contrary to the directions of Hon'ble Patna High Court (FB) passed in *Project Uchcha Vidyalaya Shikshak Sangh (Supra.)*, confirmed by Hon'ble Apex Court and against the principles as being laid down by this Hon'ble Court in the paragraph-17, as also against the directions of the Coordinate Benches of this Hon'ble Court in other writ petitions in individual cases.

(vi) All female category teachers and teachers belonging to Harijan, Scheduled Caste / Scheduled Tribe candidates, who are untrained, shall be absorbed.

(vii) In some of the writ petitions there is impugned order of rejection of their candidature for absorption. It is made clear that in all such cases fresh consideration in light of direction given hereinabove shall be made, without being prejudiced or influenced by the earlier order of impugned rejection."

6. The first ground of challenge laid by the State of Jharkhand is that the writ Court cannot rewrite the Resolution dated 25<sup>th</sup> April 2018 by adding some stipulations that shall fall in the realm of the executive powers of the Government of Jharkhand. Mr. Sachin Kumar, the learned Additional Advocate-General laid specific stress on paragraph no.91 of the reported judgment in "*Project Uchcha Vidya (S.C.)*"<sup>4</sup> wherein the Hon'ble Supreme Court held that it is essentially a government function to decide the educational qualification of the teaching staff. It is submitted that the direction of the writ Court to regularize the untrained teachers would run contrary to the decision of the Hon'ble Supreme Court in "*Project Uchcha Vidya (S.C.)*"<sup>4</sup>, inasmuch as, the Hon'ble Supreme Court did not approve the finding of the Full Bench of the Patna High Court that the letter no.142 dated 4<sup>th</sup> February 1989 which prescribed the qualification for the Assistant Teachers was arbitrary and discriminatory. The learned Additional Advocate-General submitted that the

Government of Jharkhand took a policy decision to fix the cut-off date for possessing the minimum qualification as on 30<sup>th</sup> September 2007 and, that, fixing of this cut-off date has a valid and reasonable basis and the writ Court could not have exercised its powers under Article 226 of the Constitution to fix a different cut-off date. According to the State of Jharkhand, the report of Alam Committee was submitted on 30<sup>th</sup> September 2007 and this date has been fixed as cut-off date for acquiring the training qualification. The learned Additional Advocate-General pointed out that the sanctioned strength of teachers as per the letter no.705 dated 12<sup>th</sup> October 1982 which was approved by this Court in “*Rabindra Kumar*”<sup>5</sup> has been adopted in the Resolution No.1272 dated 25<sup>th</sup> April 2018 and the writ Court committed a serious error in law in overlooking a binding decision of this Court and created an additional post of the Assistant Teacher in the Manak Mandal by exercising a power that is not traceable under Article 226 of the Constitution. On the other hand, Mr. Santosh Kumar, the learned counsel who appeared for the respondent English Dubey in LPA No.491/2019 submitted that the respondent was seeking regularization of his service on parity with three other untrained teachers who were absorbed as regular teachers in the same school vide government order dated 17<sup>th</sup> August 2016. On behalf of the other respondents, the learned counsel submitted that the Resolution dated 25<sup>th</sup> April 2018 contains stipulations that are manifestly unjust and incongruent to reason and, therefore, the writ Court was constrained to exercise its powers under Article 226 of the Constitution to remedy the injustice perpetuated to the teachers like English Dubey.

7. The learned counsel referred to “*S.N. Mukherjee*”<sup>6</sup>; “*L. Chandra Kumar*”<sup>7</sup>; “*Tantia Construction (P) Ltd.*”<sup>8</sup> and “*Roger Mathew*”<sup>9</sup> to persuade this Court not to interfere with the writ Court’s order, having regard to the wide powers and constitutional duty of the writ Court to uphold and enforce the rule of law. The learned counsel lastly submitted that the writ Court pronounced the judgment which is intended to give benefit to all similarly situated persons and when such a pronouncement is made the objection as to delay and laches on the part of the aggrieved person does not survive.

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<sup>5</sup> *Rabindra Kumar v. The State of Bihar & Ors.* : 1998 (3) PLJR 54

<sup>6</sup> *S.N. Mukherjee v. Union of India* : (1990) 4 SCC 594

<sup>7</sup> *L. Chandra Kumar v. Union of India* : (1997) 3 SCC 261

<sup>8</sup> *Union of India v. Tantia Construction (P) Ltd.* : (2011) 5 SCC 697

<sup>9</sup> *Roger Mathew v. South Indian Bank Ltd.* : (2020) 6 SCC 1

8. The State of Jharkhand being the employer is empowered to decide minimum educational qualification, cut-off date, and to sanction the post of teachers in the Project Schools. Under the Resolution dated 25<sup>th</sup> April 2018, nine posts in each Project School are sanctioned and the graduate teachers who obtained training qualification by 30<sup>th</sup> September 2007 shall be eligible. This is also the decision of the State of Jharkhand that some of the Rajiv Gandhi Project Girls School/Project Girls School in the districts of Pakur, Sahebganj and Ranchi shall be closed. Similarly, a decision was taken by the State of Jharkhand not to approve the services of teaching and non-teaching staffs in certain schools in the districts of Giridih, Godda, Gumla and Hazaribagh. Through this government decision, other detailed guidelines have also been issued for approving of the services of the Assistant Teachers who were appointed by the Managing Committee. In our opinion, the policy decision taken by the State of Jharkhand laying down certain criteria to regularize the Assistant Teachers cannot be faulted merely because a few persons do not fit the criteria in the Resolution dated 25<sup>th</sup> April 2018. In the matters of appointment, regularization in service, etc. there can be varied opinions but the writ Court is not expected to sit as an appellate authority thereon and examine the government's decision in this regard. The writ Court could interfere only if the scheme framed by the state is found capricious or not informed by reasons or arbitrary and founded on mere *ipse dixit*.

9. The Resolution dated 25<sup>th</sup> April 2018 refers to the government decision contained in memo no. 1646 dated 27<sup>th</sup> June 2011 for examining the legal issues which may arise in regularization of the Assistant Teachers appointed on or before 4<sup>th</sup> February 1989 and those who were working from 1<sup>st</sup> January 1989. For examining such legal and other incidental issues pursuant to the Cabinet decision dated 27<sup>th</sup> June 2011, several committees were constituted by the State Government and one of such committees was headed by the Director of the Secondary Education. This committee comprising of five members submitted its report dated 9<sup>th</sup> October 2017 which prescribed the conditions for regularization of the Assistant Teachers who were not selected by the Alam Committee. The government decision dated 25<sup>th</sup> April 2018 also refers to several orders of this Court and in particular the order dated 30<sup>th</sup> August 2017 passed by the writ Court in WP(S) No. 921 of 2011 and analogous cases. It further appears that the State of Jharkhand referred the report dated

9<sup>th</sup> October 2017 submitted by the Director of Secondary Education for the opinion of the Law Department and, thereafter, the matter was placed before the Cabinet on 18<sup>th</sup> April 2018. Quite evidently, the Resolution dated 25<sup>th</sup> April 2018 was a policy decision of the State of Jharkhand.

10. The law is too well-settled that it is not within the domain of the Courts to embark upon an inquiry as to whether a particular policy decision is wise and workable or there could have been a more logical and fairer decision. In “*R. Krishnamurthy*”<sup>10</sup> the Hon’ble Supreme Court held that the Courts in the exercise of their jurisdiction shall not transgress into the field of policy decision. This is a trite law that the writ Court shall not interfere with the policy decision of the executive unless the policy is found arbitrary, unreasonable or unfair. The perversity in the policy and malafide in taking a particular policy decision can also render the policy unconstitutional but the writ Court could not have presumed any such ground in the present case to interfere with the Resolution dated 25<sup>th</sup> April 2018. The writ Court by issuing a direction to relax the minimum qualification, cut-off date, sanction strength of the teachers, etc. with a further direction to amend the Resolution dated 25<sup>th</sup> April 2018 transgressed the limits of judicial review.

11. In “*Premium Granites*”<sup>11</sup> the Hon’ble Supreme Court elucidated the powers of the writ Court to interfere with the policy decision, as under:

“54. It is not the domain of the court to embark upon uncharted ocean of public policy in an exercise to consider as to whether a particular public policy is wise or a better public policy can be evolved. Such exercise must be left to the discretion of the executive and legislative authorities as the case may be. The court is called upon to consider the validity of a public policy only when a challenge is made that such policy decision infringes fundamental rights guaranteed by the Constitution of India or any other statutory right. ...”

12. The issue was once again debated in “*Narmada Bachao Andolan*”<sup>12</sup> wherein the Hon’ble Supreme Court observed, as under:

“229. It is now well settled that the courts, in the exercise of their jurisdiction, will not transgress into the field of policy decision. Whether to have an

<sup>10</sup> Census Commr. v. R. Krishnamurthy: (2015) 2 SCC 796

<sup>11</sup> Premium Granites v. State of T.N.: (1994) 2 SCC 691

<sup>12</sup> Narmada Bachao Andolan v. Union of India : (2000) 10 SCC 664



infrastructural project or not and what is the type of project to be undertaken and how it has to be executed, are part of policy-making process and the courts are ill-equipped to adjudicate on a policy decision so undertaken. The court, no doubt, has a duty to see that in the undertaking of a decision, no law is violated and people's fundamental rights are not transgressed upon except to the extent permissible under the Constitution....”

13. The directions issued by the writ Court under paragraph no.18(ii) for granting certain relaxations to the teachers who were appointed before 4<sup>th</sup> February 1989 are seriously flawed in law. The writ Court seems to have completely misinterpreted the judgment in “*Project Uchcha Vidya (S.C)*”<sup>4</sup> wherein the Hon’ble Supreme Court clearly indicated that the Circular dated 4<sup>th</sup> February 1989 was valid and the State of Bihar was justified in deviating from the previous circulars particularly the Circular dated 27<sup>th</sup> May 1981. The judgment in “*Project Uchcha Vidyalaya (F.B)*”<sup>3</sup> proceeded on the premise that the untrained teachers had a right to seek appointment and the State Government could not have changed the qualification criteria. This view of the Full Bench of the Patna High Court was not approved by the Hon’ble Supreme Court is easily demonstrable from a reading of paragraph nos. 90 and 91 of the judgment in “*Project Uchcha Vidya (S.C)*”<sup>4</sup>. In fact, the whole basis of the directions issued in the present case under paragraph no. 18 of the writ Court’s order is founded on a misconstruction of the judgment rendered by the Hon’ble Supreme Court. There is no binding precedent of this Court which the State of Jharkhand has ignored. This is also not correct to say that the Resolution dated 25<sup>th</sup> April 2018 was framed contrary to the law laid down therein.

14. In “*Project Uchcha Vidya (S.C)*”<sup>4</sup> the Hon’ble Supreme Court held as under:

“75. Even if there is no dispute as regards number of schools, in view of the stand taken by the State and particularly in view of the fact that it appears from the records that recognition of the school, if any, had wrongly been granted to some schools where buildings were also not completed or the process of selection was also not over, it may be necessary for the State to have a further look in the matter.

76. It is furthermore necessary to scrutinise as to whether the teaching and non-teaching staff appointed for the said purpose fulfil the criteria in terms of the policy decision of the State or not. Their qualifications laid down under other relevant statutes for the purpose of obtaining permission must also be scrutinised.

77. We do not find any merit in the contention raised by the learned counsel appearing on behalf of the respondents that the principle of equitable estoppel would apply against the State of Bihar. It is now well known, the rule of estoppel has no application where contention as regards a constitutional provision or a statute is raised. The right of the State to raise a question as regards its actions being invalid under the constitutional scheme of India is now well recognised. If by reason of a constitutional provision, its action cannot be supported or the State intends to withdraw or modify a policy decision, no exception thereto can be taken. It is, however, one thing to say that such an action is required to be judged having regard to the fundamental rights of a citizen but it is another thing to say that by applying the rule of estoppel, the State would not be permitted to raise the said question at all. So far as the impugned circular dated 18-2-1989 is concerned, the State has, in our opinion, a right to support the validity thereof in terms of the constitutional framework.

78. Having said so, we must observe that the ultimate decision must be left in the hands of the State. In view of the Cabinet decision dated 25-1-2000, 300 schools are said to have been recognised. We have, however, our doubts as to whether all correct facts have been placed before the Cabinet or not, particularly in view of the fact that many of the schools which were established in Chhotanagpur and Santhal Pargana are now in the State of Jharkhand. We have pondered over the matter but we are not very sure as to whether apart from the schools which had been identified by the three-man committee and admittedly recognised by the State, any final decision had been taken as regards recognition or otherwise of the remaining schools by the appropriate authority.

79. For the said purpose, we are of the opinion that a committee should be constituted for the said purpose.

80. The Chief Secretary of the State of Bihar is, therefore, requested to constitute a committee comprising two officers and one educationist of repute and/or a retired judicial officer. In the event a judicial officer is appointed as a member of the committee, he would be the chairman thereof. Remuneration of the judicial officers and/or the educationist shall be determined by mutual agreement.

81. The Chief Secretary is hereby requested to place at the disposal of the committee the requisite staff, which may be required by the committee, from amongst the staff of one or the other department of the State.

82. In the event it is found that teachers have been appointed on ad hoc basis, the Vidyalaya Sewa Board shall be directed to make regular recruitment strictly in accordance with law.

83. All the Regional Deputy Directors of Education concerned must also submit their reports in respect of the Project Schools within four weeks from the date before the committee.

84. The committee shall also deal with all such individual cases of the appellants, as has been directed in para 35 of the judgment of the High Court.

85. All the educational institutions claiming recognition or having any other claims would file their representations together with all supporting documents within three weeks from date. In their applications, the institutions must also give details of the students admitted in each class yearwise.

86. Although from the records, it appears that about 300 schools laid their claims having been recognised which is also evident from the decision of the Cabinet, we are of the opinion that the question as to how many schools fulfil the criteria laid down by the State Government in terms of its policy decision must be considered afresh.

87. As the constitution of the committee may take some time, such claims may be filed in the office of the Education Secretary, who would open an appropriate cell in this behalf. The committee upon scrutinising the claims of the institutions and/or the teaching and non-teaching staff would submit a report before the Chief Secretary within three months.

88. The Chief Secretary is requested to place the said report together with his comments thereupon before the appropriate authority in terms of the Rules of Executive Business and it is expected that the said authority of the Government of Bihar shall take appropriate decision thereupon within four months from date.

89. We would appreciate it if the State Government takes suitable action against those who may be found responsible for commission of irregularities and/or illegalities in the process of implementation of the government scheme in accordance with law.

90. As regards minimum age of the teaching and non-teaching staff, indisputably the same should be 18 years.

91. So far as educational qualification of the teaching staff is concerned, we are of the opinion that having regard to the fact that a limited number of teachers were to be appointed with a view to accomplish a constitutional goal of spreading literacy in the villages, particularly amongst girls, the standard adopted in Zila schools or government schools constituted in urban areas may not be insisted upon, as was observed by the High Court, but keeping in view the fact that it is essentially a government function, the question as to whether some teachers having BT training or training in Physical Education would be allowed to continue in the said Project Schools or not is left to the State, wherefor a decision in accordance with law may be taken.

92. These appeals are disposed of with the aforementioned observations and directions. In the facts and circumstances of the case, there shall be no order as to costs.”

15. The direction for regularization of the untrained teachers with a condition that they shall obtain the Teacher's Training/B.Ed. degree within a stipulated period is contrary to the provisions of the Bihar Nationalized Secondary Schools (Service Condition) Rules, 1983 and the pronouncement in "*Project Uchcha Vidya (S.C)*"<sup>4</sup>. This is a mandatory condition under the Bihar Nationalized Secondary Schools (Service Condition) Rules, 1983 that a person seeking appointment to the post of Assistant Teacher must possess the Teacher's Training/B.Ed. degree at the time of his appointment. There is no provision under the aforesaid Rules to permit a candidate to acquire this qualification after he is appointed as an Assistant Teacher. There is also no power vested in any authority to relax this qualification which is a mandatory educational qualification for appointment to the post of the Assistant Teacher.

16. The so-called clarification by the writ Court that 9<sup>th</sup> post in the Manak Mandal shall fall under the category "other teachers" which would include a teacher for minority language, music, arts, commerce, etc. is also equally unsustainable. In "*Rabindra Kumar*"<sup>5</sup> the Patna High Court held that there shall be only nine posts in the Manak Mandal which would include the Headmaster/Headmistress. However, the writ Court has created 9<sup>th</sup> post of the teacher in the Project Schools by directing the Secretary of the Department of School Education and Literacy to issue a corrigendum in this regard. In "*Rabindra Kumar*"<sup>5</sup> the Patna High Court has held as under:

"17. Admittedly, on the basis of staffing pattern, the State Government has sanctioned nine posts of teachers including Head Master/Mistress for first phase Project schools of 1981-82. This will be evident from letter no. 705 dated 12<sup>th</sup> October, 1982, wherein it has been stipulated that five teachers to be appointed in a school having three classes and nine teachers in a school having four classes similarly, nine post of teacher including Head Master/Mistress have been sanctioned for third phase school of 1988-89, on the basis of the same staffing pattern, which will be evident from letter nos. 1003 and 1004, both dated 26<sup>th</sup> August 1988. It is also accepted by the counsel for the State that while the schools were running under Private Managing Committee, permission to establish schools and their approval were granted on the basis of total strength of teachers which was nine in number, including Head Master/Mistress which was the basis on which the Private Managing Committee made appointments."

17. This is also quite strange that the writ Court has issued a direction for absorption of the Assistant Teachers even if the Alam Committee did not approve the same. In the Alam Committee report, several schools were found closed and some schools were said to have been merged with other existing schools. The report further disclosed that many Assistant Teachers left the school and joined another school. The State of Jharkhand has pleaded that the Project Girls High School Angara was found closed. It is further pleaded that the respondents are untrained teachers who claimed that they were working in the Project Girls High School at (i) Tamar in the district of Ranchi; (ii) Potka and Musabani in the district of East Singhbhum; (iii) Sonuwa in the district of West Singhbhum; (iv) Gopikander and Raneshwar in the district of Dumka; (v) Bhandaria in the district of Garhwa, and; (vi) Tarhasi, Lesliganj and Panki in the district of Palamau. The State of Jharkhand has taken a specific stand that these teachers do not possess the minimum qualification for appointment and are not entitled for a consideration for regularization.

18. In our opinion, the writ Court issued a very unusual direction to ignore the findings of the Alam Committee. There is a group of teachers who fall under a separate category of “closed schools”. The Alam Committee examined the records of the Project Girls High School at Taljhari in the district of Sahebganj, the Project Girls High School at Amrapara and the Rajiv Gandhi Project Girls School at Maheshpur both in the district of Pakur and the Project Girls High School Angara at Ranchi and gave specific reasons for not approving the appointment of the teaching and non-teaching staff in these schools. The records of the Project Girls School at Taljhari produced before the Alam Committee did not reveal the government order by which the Indira Gandhi Girls High School at Harinkol was selected for establishing the Project Girls High School at Taljhari. The Alam Committee rendered an opinion that this school was not selected by 3-man Committee and the proposed Indira Gandhi Girls High School at Harinkol was a self-proclaimed Project Girls High School. The Project Girls High School at Amrapara had no infrastructure and there was no facility for drinking water and toilet. The Alam Committee found that in 7 years between 1997 to 2003 not a single student could qualify in the matriculation examination and in the other years the number of students who passed the matriculation examination ranged between 1 to 12; 102 students were enrolled in the year 2006. The Alam Committee found that there were 7

teachers and one Headmaster shown as appointed in the said school but Satender Kumar Jha, Abdul Gaffar, Giridhari Das and Rajendra Prasad Shukla who are the respondents in this batch of Letters Patent Appeals are untrained teachers. Similarly, the Rajiv Gandhi Project Girls High School at Maheshpur was also not selected by 3-man Committee. The school building was incomplete and comprised only four rooms. There was no other facility such as library, laboratory, drinking water and toilet. This was also revealed from the records that only 3 students had succeeded in qualifying the matriculation examination. The Project Girls High School at Angara was said to be running in a building constructed in the year 1988 and there were only 14 students enrolled in the year 2006. The Alam Committee expressed its apprehension that the so-called appointment made before 15<sup>th</sup> May 1985 was suspicious. The Project Girls High School at Bishunpur in the district of Gumla was also found closed. There are a few schools such as the Project Girls High School at Sunderpahari in the district of Godda which fall under the category of merged school. Mr. Sachin Kumar, the learned Additional Advocate-General has submitted that some of the writ petitioners were found involved in criminal cases, some had already left the school and the others were appointed beyond the sanctioned strength or were lacking in essential qualifications. And, there are untrained teachers who have claimed working in the Project Girls High School or Project Saraswati Girls High School both at Patan in the district of Palamau.

19. The respondents referred to several decisions of this Court to challenge the conditions in the Resolution dated 25<sup>th</sup> April 2018 on the ground that those decisions of the Court have attained finality and are binding on the State of Jharkhand. Before the writ Court, the respondents referred to the judgments in “*Project Uchcha Vidyalaya (F.B)*”<sup>3</sup>, “*Project Uchcha Vidya (S.C)*”<sup>4</sup>, “*Sukhdeo Gope*”<sup>13</sup>, “*Om Prakash Gope*”<sup>14</sup>, “*Lakhpatt Yadav*”<sup>15</sup>, “*Sarju Prasad Gupta*”<sup>16</sup>, “*Kumud Kumari Srivastava*”<sup>17</sup> and “*Sarbani Bose*”<sup>18</sup>.

<sup>13</sup> WP(S) No 5161 of 2009 titled “*Sukhdeo Gope v. State of Jharkhand*”

<sup>14</sup> WP(S) No. 5658 of 2009 titled “*Om Prakash Gope v. State of Jharkhand*”

<sup>15</sup> WP(S) No. 4219 of 2011 titled “*Lakhpatt Yadav v. State of Jharkhand and others*”

<sup>16</sup> WP(S) No. 3833 of 2014 titled “*Sarju Prasad Gupta v. State of Jharkhand*”

<sup>17</sup> *Kumud Kumari Srivastava v. State of Bihar* : 1995 (2) PLJR 215

<sup>18</sup> *Sarbani Bose v. State of Jharkhand* : 2006 (3) JLJR 480



20. In the present proceeding, the respondents referred to the orders passed in “*Dinesh Pd. Singh*”<sup>19</sup>, “*Umesh Kr. Sharma*”<sup>20</sup>, “*Ram Prasad Sao*”<sup>21</sup>, “*Sukhdeo Gope*”<sup>22</sup>, “*Arbind Pathak*”<sup>23</sup>, “*Rajendra Kr. Samad*”<sup>24</sup>, “*Abhilasha Jha*”<sup>25</sup>, “*Smt. Swarn Lata*”<sup>26</sup>, “*Shambhu Lal*”<sup>27</sup>, “*Chhunku Sarangi*”<sup>28</sup>, “*Arun Kumar*”<sup>29</sup>, “*Sidheswar Leyangi*”<sup>30</sup>, “*Niranjan Pradhan*”<sup>31</sup>, “*Lakhpat Yadav*”<sup>32</sup>, “*Surendra Sharma*”<sup>33</sup>, “*Sarju Prasad Gupta*”<sup>34</sup>, “*Shuru Mai Munda*”<sup>35</sup>, “*Jagori Sonar*”<sup>36</sup>, “*Renu Ganguly*”<sup>37</sup>, “*Bajal Kumar Marandi*”<sup>38</sup>, “*Bal Mohan Prasad*”<sup>39</sup>, “*Smt. Deomani*”<sup>40</sup> and “*Tapti Mishra*”<sup>41</sup>.

21. Aristotle said that the habit of lightly changing the laws is evil. In the recent times, Lord Evershed, M.R.<sup>42</sup> once said that there is well-established authority for the view that a decision of long-standing based on which many persons over time have arranged their affairs should not lightly be disturbed by superior Court not strictly bound itself by the decision. A principle of law settled by the decisions of the Court attains a binding character and should be followed by the Courts in similar cases. In “*Krishena Kumar*”<sup>43</sup> the Hon’ble Supreme Court observed that a principle of law laid down by the Court should be adhered to and applied to all future cases where facts are substantially the same. In “*Shanker Raju*”<sup>44</sup> the Hon’ble Supreme Court held as under:

“10. It is a settled principle of law that a judgment, which has held the field for a long time, should not be unsettled. The doctrine of stare decisis is

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<sup>19</sup> WP(S) No. 393 of 2010 titled “*Dinesh Pd. Singh*”

<sup>20</sup> WP(S) No. 6038 of 2010 titled “*Umesh Kr. Sharma*”

<sup>21</sup> WP(S) No. 5928 of 2011 titled “*Ram Prasad Sao*”

<sup>22</sup> WP(S) No. 5161 of 2009 titled “*Sukhdeo Gope*”

<sup>23</sup> WP(S) No. 2048 of 2010 titled “*Arbind Pathak*”

<sup>24</sup> WP(S) No. 5177 of 2011 titled “*Rajendra Kr. Samad*”

<sup>25</sup> WP(S) No. 7220 of 2011 titled “*Abhilasha Jha*”

<sup>26</sup> WP(S) No. 6561 of 2013 titled “*Smt. Swarn Lata*”

<sup>27</sup> WP(S) No. 6051 of 2013 titled “*Shambhu Lal*”

<sup>28</sup> WP(S) No. 2142 of 2014 titled “*Chhunku Sarangi*”

<sup>29</sup> WP(S) No. 7741 of 2012 titled “*Arun Kumar*”

<sup>30</sup> WP(S) No. 5505 of 2009 titled “*Sidheswar Leyangi*”

<sup>31</sup> WP(S) No. 1116 of 2010 titled “*Niranjan Pradhan*”

<sup>32</sup> WP(S) No. 4219 of 2011 titled “*Lakhpat Yadav*”

<sup>33</sup> WP(S) No. 4221 of 2011 titled “*Surendra Sharma*”

<sup>34</sup> WP(S) 3833 of 2014 titled “*Sarju Prasad Gupta*”

<sup>35</sup> WP(S) No. 5453 of 2009 titled “*Shuru Mai Munda*”

<sup>36</sup> WP(S) No. 7634 of 2011 titled “*Jagori Sonar*”

<sup>37</sup> WP(S) No. 7660 of 2011 titled “*Rinu Ganguly*”

<sup>38</sup> WP(S) No. 1637 of 2012 titled “*Bajal Kumar Marandi*”

<sup>39</sup> WP(S) No. 921 of 2011 titled “*Bal Mohan Prasad*”

<sup>40</sup> WP(S) No. 5994 of 2013 titled “*Smt. Deomani*”

<sup>41</sup> Civil Review No. 72 of 2018 titled “*Tapti Mishra*”

<sup>42</sup> *Brownsea Haven Properties Ltd. v. Poole Corpn.* : (1958) 1 All ER 205

<sup>43</sup> *Krishena Kumar v. Union of India* : (1990) 4 SCC 207

<sup>44</sup> *Shanker Raju v. Union of India* : (2011) 2 SCC 132

expressed in the maxim *stare decisis et non quieta movere*, which means “to stand by decisions and not to disturb what is settled”. Lord Coke aptly described this in his classic English version as “those things which have been so often adjudged ought to rest in peace”. The underlying logic of this doctrine is to maintain consistency and avoid uncertainty. The guiding philosophy is that a view which has held the field for a long time should not be disturbed only because another view is possible. This has been aptly pointed out by Chandrachud, C.J. in *Waman Rao v. Union of India* [(1981) 2 SCC 362] thus: (SCC p. 393, para 40)

“40. ... for the application of the rule of *stare decisis*, it is not necessary that the earlier decision or decisions of long standing should have considered and either accepted or rejected the particular argument which is advanced in the case on hand. Were it so, the previous decisions could more easily be treated as binding by applying the law of precedent and it will be unnecessary to take resort to the principle of *stare decisis*. It is, therefore, sufficient for invoking the rule of *stare decisis* that a certain decision was arrived at on a question which arose or was argued, no matter on what reason the decision rests or what is the basis of the decision. In other words, for the purpose of applying the rule of *stare decisis*, it is unnecessary to enquire or determine as to what was the rationale of the earlier decision which is said to operate as *stare decisis*.”

22. The persons affected by decisions of the Court shall indeed have a reasonable expectation that the previous decisions of the Court rendered in identical facts shall be adhered to. The issue pertains to judicial discipline and propriety which requires that the decision of a co-ordinate Bench is followed by the other Courts and not lightly disregarded. This is necessary for continuity, certainty and predictivity in the administration of justice. In “*Hari Singh*”<sup>45</sup> the Hon’ble Supreme Court observed that in a judicial system the Courts of co-ordinate jurisdiction must have consistent opinions in respect of an identical set of facts or on question of law. In “*Hari Singh*”<sup>45</sup> the Hon’ble Supreme Court observed as under:

“10. It is true that in the system of justice which is being administered by the courts, one of the basic principles which has to be kept in view, is that courts of coordinate jurisdiction, should have consistent opinions in respect of an identical set of facts or on a question of law. If courts express different

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<sup>45</sup> *Hari Singh v. State of Haryana* : (1993) 3 SCC 114

opinions on the identical sets of facts or question of law while exercising the same jurisdiction, then instead of achieving harmony in the judicial system, it will lead to judicial anarchy...”

23. The maxim “*stare decisis et non quieta movere*” which means “to stand by decisions and not to disturb what is settled” was evolved in the public interest to establish uniformity and certainty in the legal system. The guiding principle behind *stare decisis* is that a decision of the Court which has been followed by the Court and acted upon should not be disturbed even by the appellate or revisional Courts. However, this is also well-settled that the previous decisions should not be followed to the extent that grievous wrongs may result. In “*Maktul*”<sup>46</sup> the Hon’ble Supreme Court indicated that the doctrine of *stare decisis* is not imperative or inflexible and to what extent it is to be applied must be determined by the Court in each case. “*Sakshi*”<sup>47</sup> reaffirms that the doctrine of *stare decisis* gives certainty to law and guides the people to mold their affairs in the future. In “*Sakshi*”<sup>47</sup> the Hon’ble Supreme Court observed as under:

“23. Stare decisis is a well-known doctrine in legal jurisprudence. The doctrine of stare decisis, meaning to stand by decided cases, rests upon the principle that law by which men are governed should be fixed, definite and known, and that, when the law is declared by a court of competent jurisdiction authorised to construe it, such declaration, in absence of palpable mistake or error, is itself evidence of the law until changed by competent authority. It requires that rules of law when clearly announced and established by a court of last resort should not be lightly disregarded and set aside but should be adhered to and followed. What it precludes is that where a principle of law has become established by a series of decisions, it is binding on the courts and should be followed in similar cases. It is a wholesome doctrine which gives certainty to law and guides the people to mould their affairs in future.”

24. We have gone through the decisions referred by the respondents to lay a foundation for parity in the appointment. The writ Court in the aforementioned cases passed the orders of “representation-disposal” and nothing more. However, the writ Court held that the Resolution dated 25<sup>th</sup> April 2018 being in conflict with previous decisions of this Court required modification. Earl of Halsbury L.C said in “*Quinn*”<sup>48</sup> that a case is only an

<sup>46</sup> Maktul v. Mst. Manbhari : AIR 1958 SC 918

<sup>47</sup> Sakshi v. Union of India : (2004) 5 SCC 518

<sup>48</sup> Quinn v. Leathem : 1901 AC 495

authority for what it decides. The law declared has to be construed as a principle of law that emanates from the judgment or on an interpretation of a law or judgment upon which the case was decided. The Hon'ble Supreme Court has consistently held that a decision that is not found on reasons or proceeds on consideration of an issue contrary to well-settled principles of law cannot be deemed to be a law that would have a binding effect. In "*Synthetics and Chemical Ltd.*"<sup>49</sup> the Hon'ble Supreme Court observed that a conclusion without reference to relevant provisions of law is weaker than even casual observation. In "*Satish Kumar Gupta*"<sup>50</sup> the Hon'ble Supreme Court once again reminded that a case which was decided without any consideration as regards the principles of law cannot be treated as a precedent. In "*Dhanwanti Devi*"<sup>51</sup> the Hon'ble Supreme Court observed that everything said by a Judge while giving a judgment does not constitute a precedent and the only thing in the decision which binds the parties is the principle upon which the case is decided. The Hon'ble Supreme Court further observed that the essence of a decision is its ratio and not every observation found therein nor what logically follows from the various observations made in the judgment. In "*Palitana Sugar Mills*"<sup>52</sup> the Hon'ble Supreme Court observed that a little difference in facts or some additional facts may make a lot of difference in the precedential value of a judgment. No doubt a decision is an authority for what it decides and not what can logically be deduced therefrom. In "*Md. Ilyas*"<sup>53</sup> the Hon'ble Supreme Court observed as under:

"12. When the allegation is of cheating or deceiving, whether the alleged act is wilful or not depends upon the circumstances of the case concerned and there cannot be any straitjacket formula. The High Court unfortunately did not discuss the factual aspects and by merely placing reliance on an earlier decision of the Court held that prerequisite conditions were absent. Reliance on the decision without looking into the factual background of the case before it, is clearly impermissible. A decision is a precedent on its own facts. Each case presents its own features. It is not everything said by a Judge while giving judgment that constitutes a precedent. The only thing in a Judge's decision

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<sup>49</sup> State of U.P v. Synthetics and Chemical Ltd. : (1991) 4 SCC 139

<sup>50</sup> Satish Kumar Gupta v. State of Haryana : (2017) 4 SCC 760

<sup>51</sup> Union of India v. Dhanwanti Devi : (1996) 6 SCC 44

<sup>52</sup> Bhav Nagar University v. Palitana Sugar Mills : (2003) 2 SCC 111

<sup>53</sup> State of Orissa v. Md. Ilyas : (2006) 1 SCC 275

binding a party is the principle upon which the case is decided and for this reason it is important to analyse a decision and isolate from it the ratio decidendi. According to the well-settled theory of precedents, every decision contains three basic postulates : (i) findings of material facts, direct and inferential. An inferential finding of facts is the inference which the Judge draws from the direct, or perceptible facts; (ii) statements of the principles of law applicable to the legal problems disclosed by the facts; and (iii) judgment based on the combined effect of the above. A decision is an authority for what it actually decides. What is of the essence in a decision is its ratio and not every observation found therein nor what logically flows from the various observations made in the judgment. The enunciation of the reason or principle on which a question before a court has been decided is alone binding as a precedent. (See *State of Orissa v. Sudhansu Sekhar Misra and Union of India v. Dhanwanti Devi.*) A case is a precedent and binding for what it explicitly decides and no more. The words used by Judges in their judgments are not to be read as if they are words in an Act of Parliament. In *Quinn v. Leatham* the Earl of Halsbury, L.C. observed that every judgment must be read as applicable to the particular facts proved or assumed to be proved, since the generality of the expressions which are found there are not intended to be the exposition of the whole law but governed and qualified by the particular facts of the case in which such expressions are found and a case is only an authority for what it actually decides.”

25. The respondents have set up a case that the State of Jharkhand by regularizing Dinesh Pd Singh, Ram Pd. Sah, Sukheo Gope, Arbind Pathak, Sudama Pd., Sitaram, Dinanath Ram, Sukra Nayak, Arun Kumar, Chhunku Sarangi, Rajendra Kumar, Saryu Pd. Gupta, Deopujan Sharma, Bajel Kr. Mrandi, Jagori Sonar, Raghunath Sahu, Pushpavati Tiwari, Shaktidhar Pradhan, Indrajit Pd., Sameri Hansda, H.S. Bagha, Maheshwar Prasad and Tapti Mishra acted in consonance with the Circular dated 12<sup>th</sup> October 1982 and regularized these teachers who do not have the training qualification.

26. The respondents have produced copies of the orders dated 14<sup>th</sup> June 2011, 12<sup>th</sup> September 2012, 22<sup>nd</sup> December 2013, 3<sup>rd</sup> June 2013, 20<sup>th</sup> June 2013, 11<sup>th</sup> September 2014, 12<sup>th</sup> February 2015, 2<sup>nd</sup> February 2016, 11<sup>th</sup> April 2016, 14<sup>th</sup> June 2016, 17<sup>th</sup> August 2016, 28<sup>th</sup> October 2016, 5<sup>th</sup> October 2016, 9<sup>th</sup> December 2015, 1<sup>st</sup> March 2017, 22<sup>nd</sup> March 2017, 17<sup>th</sup> March 2017, 24<sup>th</sup> March 2017, 24<sup>th</sup> June 2008, 5<sup>th</sup> February 2018 and 13<sup>th</sup> February 2020.

27. The High Courts are constituted not only the Courts of law but also the Courts of equity. However, at the same time, the High Court is required

to consider all aspects including the public good at large. In “*Roshanlal Kuthalia*”<sup>54</sup> the Hon’ble Supreme Court observed that equity is the moral dimension of law. In “*Charles K. Skaria*”<sup>55</sup> the Hon’ble Supreme Court observed that equity shall overpower technicality where human justice is at stake. In “*S.S Bola*”<sup>56</sup>. The Hon’ble Supreme Court observed that equity steps in where the law has left yawning gaps. In “*A.P. State Financial Corpn.*”<sup>57</sup> the Hon’ble Supreme Court observed that: “Equity is always known to defend the law from crafty evasions and new subtleties invented to evade law”. However, the High Court may refuse to exercise its discretionary jurisdiction if the grant of relief would defeat the interest of justice. In “*Prabhu*”<sup>58</sup> the Hon’ble Supreme Court observed that: “It is the responsibility of the High Court as custodian of the Constitution to maintain the social balance by interfering where necessary for the sake of justice and refusing to interfere where it is against the social interest and public good.” Even assuming that the above-named Assistant Teachers lacked essential qualifications for appointment, the writ Court could not have applied parity in the appointment of the respondents because Article 14 of the Constitution carries with it a positive concept and it cannot be invoked for perpetuating illegality. This is a matter of record that the Assistant Teachers who approached the writ Court were appointed between 2<sup>nd</sup> January 1981 [WP(S) No. 5474 of 2017 corresponding to LPA No. 698 of 2019] to 7<sup>th</sup> December 1999 [WP(S) No.921 of 2011 corresponding to LPA No. 138 of 2019] and a large number of them were appointed during 1985, 1986, 1987 and 1988.

28. This is axiomatic that there is no concept of negative equality envisaged under Article 14 of the Constitution even if an individual or a group of individuals are benefitted on account of an order passed by the executive, others cannot invoke the jurisdiction of the Court seeking a similar relief. A wrong decision in favor of any particular party does not entitle any other party to claim benefits based on such a decision. In “*Basawaraj*”<sup>59</sup> the Hon’ble

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<sup>54</sup> *Roshanlal Kuthalia & Ors. v. R.B. Mohan Singh Oberoi* : (1975) 4 SCC 628

<sup>55</sup> *Charles K. Skaria & Ors. v. Dr. C. Mathew & Ors.* : (1980) 2 SCC 752

<sup>56</sup> *S.S Bola & Ors. v. B.D. Sardana & Ors.* : (1997) 8 SCC 522

<sup>57</sup> *A.P. State Financial Corpn. v. Gar Re-Rolling Mills* : (1994) 2 SCC 647

<sup>58</sup> *State of Maharashtra v. Prabhu* : (1994) 2 SCC 481

<sup>59</sup> *Basawaraj v. Special Land Acquisition Officer* : (2013) 14 SCC 81



Supreme Court held that if some benefit was granted inadvertently or by mistake such an order does not confer any legal right on the others to get the same relief. In “*Basawaraj*”<sup>59</sup> the Hon’ble Supreme Court held as under:

“8. It is a settled legal proposition that Article 14 of the Constitution is not meant to perpetuate illegality or fraud, even by extending the wrong decisions made in other cases. The said provision does not envisage negative equality but has only a positive aspect. Thus, if some other similarly situated persons have been granted some relief/benefit inadvertently or by mistake, such an order does not confer any legal right on others to get the same relief as well. If a wrong is committed in an earlier case, it cannot be perpetuated. Equality is a trite, which cannot be claimed in illegality and therefore, cannot be enforced by a citizen or court in a negative manner. If an illegality and irregularity has been committed in favour of an individual or a group of individuals or a wrong order has been passed by a judicial forum, others cannot invoke the jurisdiction of the higher or superior court for repeating or multiplying the same irregularity or illegality or for passing a similarly wrong order. A wrong order/decision in favour of any particular party does not entitle any other party to claim benefits on the basis of the wrong decision. Even otherwise, Article 14 cannot be stretched too far for otherwise it would make functioning of administration impossible. (Vide *Chandigarh Admn. v. Jagjit Singh*, *Anand Buttons Ltd. v. State of Haryana*, *K.K. Bhalla v. State of M.P.* and *Fuljit Kaur v. State of Punjab*.)”

29. In “*Doiwala Sehkari Shram Samvida Samiti Ltd.*”<sup>60</sup> the Hon’ble Supreme Court held that the concept of equal treatment presupposes existence of similar legal foothold and does not countenance repetition of wrong action. In “*Doiwala Sehkari Shram Samvida Samiti Ltd.*”<sup>60</sup> the Hon’ble Supreme Court held as under:

“28. This Court in *Union of India v. International Trading Co.* has held that two wrongs do not make one right. The appellant cannot claim that since something wrong has been done in another case, directions should be given for doing another wrong. It would not be setting a wrong right but could be perpetuating another wrong and in such matters, there is no discrimination involved. The concept of equal treatment on the logic of Article 14 cannot be pressed into service in such cases. But the concept of equal treatment presupposes existence of similar legal foothold. It does not countenance repetition of a wrong action to bring wrongs on a par. The affected parties

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<sup>60</sup> *Doiwala Sehkari Shram Samvida Samiti Ltd. v. State of Uttaranchal* : (2007) 11 SCC 641

have to establish strength of their case on some other basis and not by claiming negative quality. In view of the law laid down by this Court in the above matter, the submission of the appellant has no force. In case, some of the persons have been granted permits wrongly, the appellant cannot claim the benefit of the wrong done by the Government.”

30. In our opinion, this is not in the larger public interest that a teacher who could not obtain the training qualification for quarter a century is provided another opportunity to obtain a degree by extending cut-off date more than a decade after the Alam Committee Report was submitted. A right in law exists only and only when it has a lawful origin. The object of prescribing qualification is to select a suitable person in order to maintain excellence and standard of teaching. In *“Pramod Kumar”*<sup>61</sup> the Hon’ble Supreme Court held that a person lacking the eligibility cannot approach the Court for the reason that he does not have a right which can be enforced in the Court. A plea has been put forth on behalf of the respondents that some time may be prescribed for attaining the training qualification as validity of appointment of untrained teachers is recognized under the Letter dated 4<sup>th</sup> February 1989. In our opinion, appointing a person who lacks eligibility for the post would amount to serious illegality and not mere irregularity. A writ petition with such a prayer was not maintainable and the respondents could not have approached the Court for such a relief as they do not have a right in law to seek appointment. In *“Umadevi (3)”*<sup>62</sup> and *“Official Liquidator”*<sup>63</sup> the Hon’ble Supreme Court reiterated that long years of continuous service even without break would not justify the claim for regularization. The powers under Article 226 of the Constitution are discretionary and are exercised in furtherance of justice, equity and good conscience. The writ Court is therefore duty bound to take all the relevant facts and circumstances into consideration and decide for itself as to whether the decision/order under challenge warrants interference of the Court.

31. Some of the respondents are claiming that they have valid training qualification obtained prior to 1<sup>st</sup> July 1995. In *“Bhagirathi Prasad Dey”*<sup>64</sup> the Assistant Teacher who was appointed in the Project Girls High

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<sup>61</sup> Pramod Kumar v. U.P. Secondary Education Services Commission : (2008) 7 SCC 153

<sup>62</sup> State of Karnataka v. Umadevi (3) : (2006) 4 SCC 1

<sup>63</sup> Official Liquidator v. Dayanand : (2008) 10 SCC 1

<sup>64</sup> Civil Appeal No.3693 of 2020 dated 17<sup>th</sup> November 2020 titled “Bhagirathi Prasad Dey v. State of Jharkhand”

School at Kharsawan by the Managing Committee of the school had obtained a degree in Senior Teacher's Training from Sister Nivedita College at Kolkata. As Mr. Bhagirathi Prasad Dey was awarded the said degree before the NCTE Act, 1993 coming into effect from 1<sup>st</sup> July 1995 the Hon'ble Supreme Court held that the certificate issued by Sister Nivedita College was a valid degree. Now this issue is settled by the decision of the Hon'ble Supreme Court and that shall be followed by the State of Jharkhand. However, the genuineness of the training degree and the schools/institutes which issued such degree must remain open to scrutiny and any general declaration cannot be made in this regard.

32. The respondents are seeking regularization also on the basis of the Resolution dated 22<sup>nd</sup> November 2023 to regularize the services of untrained teachers belonging to SC/ST and Women categories. In this context, Mr. Sachin Kumar, the learned Additional Advocate-General submitted that the respondents in LPA Nos. 430 of 2019, 473 of 2019, 540 of 2019, 541 of 2019, 592 of 2019, 641 of 2019, 654 of 2019, 705 of 2019, 711 of 2019, 784 of 2019, 840 of 2019, 867 of 2019, 921 of 2019, 24 of 2020, 51 of 2020, 79 of 2020, 131 of 2020, 346 of 2019, 134 of 2020, 155 of 2020 and the respondent nos.1 and 2 in LPA No. 40 of 2020 shall be considered for regularization in terms of the Resolution dated 22<sup>nd</sup> November 2023, if otherwise found eligible for appointment as Assistant Teacher. These Letters Patent Appeals were accordingly dismissed as withdrawn vide order dated 11<sup>th</sup> December 2023.

33. Lastly, the prayers made in the writ petitions were different and such writ petitions could not have been disposed of by a common order. In several writ petitions, a prayer for recognizing their services has been made by the Assistant Teachers. Whereas, some of the teachers are also seeking consequential reliefs including the monetary benefits w.e.f. 1<sup>st</sup> January 1989 in terms of the government notification dated 9<sup>th</sup> February 2011. The learned counsels appearing for the respondents submitted that there are three distinct categories of the Assistant Teachers viz (i) whose training certificate was not recognized by the NCTE (ii) untrained teachers belonging to SC, ST, and Woman categories and (iii) untrained teachers of the second phase<sup>2</sup> schools who are eligible in terms of the Full Bench decision of the Patna High Court. There is also a fourth category of teachers who are said to be working in the "closed schools". Just to indicate that the prayers in the writ petitions were

varied and wide ranging, we shall reproduce the prayers made in WP(S) No. 921 of 2011 which read as under:

- i) For quashing the order issued vide Memo No.4174 dated 09<sup>th</sup> September 2010 under the signature of Respondent No.3 wherein and whereunder the claim of the petitioners regarding recognition of their services has been refused on the strength of a committee which is extra-legal and contrary to the decision of the Apex Court passed on the issue involved in the present writ petition and upon which respondent has acted and further they have completely misconstrued the order of Hon'ble High Court as well as Supreme Court wherein it has been clearly directed to give the same treatment to the petitioners who are employees of the project school of the year 1984-85 similar to the project school of the year 1981-82 and further out of 300 schools, 89 schools are in the territory of the State of Jharkhand and they have been given different treatment than to the schools falling in the territory of Bihar and this amounts to hostile discrimination as well as contrary to the mandate of Bihar Reorganization Act, 2000;
- ii) For direction upon Respondent No.5 the State of Bihar to forward the recommendation of the three men committee constituted as per the direction of the Hon'ble Apex Court and also the criteria adopted by the Respondent No.3 for recognizing the services of the employees of the Project School of the year 1984-85;
- iii) Directing the respondents to recognize the services of persons working on different posts in project Girls High School including the present petitioners and further to absorb them to their respective posts and to pay their salaries with effect from 1.1.1989 up-to-date, as school has been taken over under the scheme and the case of the petitioners are fully covered by the decision of Full Bench of the Hon'ble High Court of Judicature at Patna, reported in 2000 (1) PLJR 287;
- v) For initiating proceeding against the concerned authorities of the State of Jharkhand for alleged disobedience of order passed by Full Bench reported in 2000 (1) PLJR 287 as the impugned order is contrary to observations / directions made by the Full Bench the Hon'ble High Court and approved by the Apex Court.

34. The State of Jharkhand has taken a stand that no challenge was laid before the writ Court to the Resolution dated 25<sup>th</sup> April 2018. However, on verification of the records, we gathered that in WP(S) Nos.7403 of 2012, 4881 of 2017 and 921 of 2011 interlocutory applications were filed to challenge the Resolution dated 25<sup>th</sup> April 2018 but no order was passed thereon. On the

contrary, the writ Court had expressed its satisfaction when the government decision was produced in the Court that every aspect of the matter was considered in the government decision. The writ Court was also conscious of the fact that the government decision dated 25<sup>th</sup> April 2018 is a policy decision of the State of Jharkhand. In the order dated 26<sup>th</sup> April 2018, the writ Court recorded that the government decision dated 25<sup>th</sup> April 2018 was in tune with the judgment of the Court and the previous decisions of the government. The order dated 26<sup>th</sup> April 2018 passed in W.P.(S) No. 921 of 2011 and batch cases reads as under:

“The matter relates to recognition of the services of teaching and non-teaching staff of the Project Girls High School.

On 09.04.2018, this Court had directed the Secretary, who is present in the Court, to take a final decision regarding services of the teaching and non-teaching staff of the Project Girls High School.

Today, when the matter was taken up, Mr. Jai Prakash, Addl. Advocate General comes with an affidavit annexing the decision taken by the State Govt. on the service conditions of the teaching and non-teaching staff of the Project Girls High School in view of the earlier orders passed by this Court and in view of specific direction given on 12.03.2018.

After going through the affidavit and the policy decision of the State Govt. dated 25.04.2018, which has been passed and approved by the Cabinet, and as per the notification of the State Government, by the Orders of her Excellency, the Governor of the Jharkhand the Secretary of the Department has issued the present notification dated 25.04.2018 which is a policy decision of the State Government.

After going through the policy decision, this Court is of the considered view that after due consideration and taking into account the orders passed by the Hon'ble Apex Court as well as the Full Bench decision of the Hon'ble Patna High Court and the report of the Alam Committee and also the several orders of this Court passed by the learned Single Judge each and every aspect of the matter has been discussed.

However, since affidavit has been filed today only, learned Counsel for the petitioners prays for some time to file rejoinder to the affidavit filed by the respondents. The Addl. Advocate General is directed to serve a copy of the affidavit to each and every Counsels appearing in the individual case.

Since pleadings are complete, put up this case on 16.05.2018.”

35. However, the writ Court proceeded to hear the challenge laid to the government resolution on 5<sup>th</sup> September 2018 without allowing the State of Jharkhand to put forth its stand; the judgment was reserved on the same day. Quite naturally, there is not much reference in the writ Court's order about the stand taken and arguments advanced on behalf of the State of Jharkhand. It is well-settled a proposition in law that the jurisdiction under Article 226 of the Constitution of India is discretionary and the writ Court exercises this power in furtherance of justice, equity and good conscience and not otherwise. In a catena of judgments, the Hon'ble Supreme Court indicated that the writ Court is bound to take into consideration all relevant facts and circumstances in the case and, for that purpose, the writ Court must examine (i) whether there is sufficient pleadings for seeking the relief; (ii) whether the relief sought is barred by limitation or any law; and (iii) whether the writ petitioner seeks a remedy in the realm of private law or public law domain. However, in the present case, the writ Court acted in the breach of natural justice and the State of Jharkhand was taken by surprise as it had no inkling of the proposed proceedings before the writ Court. The writ Court also transgressed the limits of judicial review and issued directions for modifying the policy decision of the State of Jharkhand.

36. For the forgoing reasons, writ Court's order dated 5<sup>th</sup> September 2018 passed in W.P.(S) No. 921 of 2011 and analogous cases is set aside and, consequently, these Letters Patent Appeals are allowed.

37. Pending I.As are accordingly disposed of.

**(Shree Chandrashekhar, A.C.J.)**

I agree.  
**(Anubha Rawat Choudhary, J.)**

**(Anubha Rawat Choudhary, J.)**