

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3571 of 2015

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1. Jagjeevan Ram son of Sri Shiv Ram, resident of Village - Sarai, Via - Neura, P.S. - Neura, District - Patna, presently posted as Assistant Teacher, Middle School, Bela, Bihta, Patna.
 2. Deshbandhu Prasad son of Ramesh Prasad, resident of Mahatma Gandhi Nagar, Lohianagar, Agamkuan, P.S. - Agamkuan, District - Patna.
 3. Sarfraj Jamid son of Nasimuddin Ansari, resident of Village - Phulwarisharif, Karbala, P.S. - Phulwarisharif, District - Patna presently posted as Assistant Teacher, Urdu Primary School, Sadisopur, Bihta, Patna.
 4. Shyam Prasad Choudhary son of Vishwanath Choudhary, resident of Village & Post - Sarai, Via - Neura, P.S. - Neura, District - Patna presently posted as Assistant Teacher, Middle School, Laxmanpur, Bihta, Patna.
 5. Vinod Kumar son of Jagdish Mahto, resident of Mohalla - Shati Chaura, Chandradeo Lane, Danapur, District - Patna.
 6. Md. Sagir Ahmad son of Abdul Hakim, resident of Village - Dadari, P.S. - Nanpur, District - Sitamarhi.
 7. Seema Bala wife of Pankaj Kumar, resident of Sanjana Apartment, Ara Garden, Jagdeo Path, P.S. - Airport, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Education Department, Govt. of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The District Magistrate, Patna.
6. The Regional Deputy Director of Education, Patna Division, Patna.
7. The District Education Officer, Patna.
8. The District Programme Officer, Establishment, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha

For the Respondent/s : Mr. ASHOK KUMAR KESHRI

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 30-06-2015

Law is now squarely settled by two Division Benches,
details of which have been given in the counter affidavit, filed on
behalf of the respondents.

In view of the same, the teachers who have passed the training examination in the second attempt will beget the benefit of matric trained scale from 31.7.2007. If anybody due to some kind of misunderstanding or for other reasons has been extended this benefit prior to passing of the said examination, then obviously direction for refund of the money is not required to be interfered with. Equity is not in favour of the petitioners but against them because no government servant is entitled to benefit of monetary kind over and above what the rule or the law provides.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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