

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6603 of 2013

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Sadhana Sharma Wife Of Sri Biresh Kumar Resident Of Mohalla Ashok
Nagar, Pokharia, Police Station Town, District Begusarai

.... Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary Human Resources
Development Department, Govt. Of Bihar, New Secretariate, Patna
2. The Director, Primary Education, Department Of Human Resources
Development, Govt. Of Bihar, New Secretariate, Patna
3. The Regional Deputy Director (Education), Munger
4. The District Education Officer, Jamui
5. The District Programme Officer (Establishment) Jamui
6. The Principal, Government Girls Middle School, Jamui

.... Respondents

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Appearance :

For the Petitioner	: Mr. Aditya Narain Singh, Advocate. Mr. Kundan Kumar Sinha, Advocate.
For the Respondent	: Mr. Sharad Kumar Sinha, GP 15.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 01-04-2016 Heard counsel for the petitioner and counsel for the

State.

In this case, the petitioner has entered into service under the matric trained scale. He continued to take the salary in matric trained scale up to 31st of December, 1995. Thereafter, his pay-scale was reduced and he was made entitled to the salary of matric untrained scale in the pay scale 975-1540/-. He appeared in the training examination on 03.05.2002 and obtained the degree on 03.05.2002 and, from that day, as per the State, he is entitled to matric trained scale.

There is no dispute that the petitioner is entitled to the matric trained scale from 03.05.2002. As per the counsel for the petitioner, he should have continued to be paid the matric trained scale as he was, at the time of induction, getting matric trained scale and wrongly the State government has reduced it without giving any opportunity of hearing.

Whereas the counsel for the State submits that when it was found that he was being paid wrongly treating him matric trained teacher, the state of Bihar corrected, started making payment of matric untrained scale.

As it appears that the respondent is ready to pay matric trained scale from 03.05.2001, only period from 01.04.1996 to 02.05.2001 left, for consideration for payment of matric trained scale. In such view of the matter, let the State of Bihar should pay matric trained scale with effect from 03.05.2001, for the rest period, the petitioner, if so advised, may approach the appropriate authority by filing representation. The appropriate authority will dispose of the same by a reasoned order within a period of four months of filing.

(Shivaji Pandey, J.)

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