

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3962 of 2013

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1. Mohan Paswan, Son of Sri Hridaya Paswan, Assistant Teacher, Utkramit Middle School Tarsan, Kudhani, Muzaffarpur.
 2. Sidheshwar Ram, Son of Saryug Ram, Assistant Teacher, Utkramit Middle School, Harpur Balara, Kudhani, Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sri Amarjeet Sinha, Principle Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
3. Sri Ashutosh, Director, Primary Education, Govt. of Bihar, Patna.
4. Sri Chandrashekhar Singh, Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
5. Sri Anupam Kumar, District Magistrate, Muzaffarpur.
6. Sri Krishna Kumar Sharma, District Education Officer, Muzaffarpur.
7. Md. Salam Ansari, District Programme Officer (Establishment), Muzaffarpur.
8. Sri Ashok Kumar, Block Development Officer, Kudhani, (Turki) Muzaffarpur.
9. Sri Devendra Prasad Singh, Block Education Officer, Kudhani, Muzaffarpur.
10. Sri Brajmohan Mishra, Head Master-cum-Block Drowing & Disbursing Officer, Kudhani, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar
For the Respondent/s : Mr. Abhay Shankar Jha

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

10 26-08-2016 The instant application has been filed for alleged violation of order, dated 01.02.2013, passed in C.W.J.C. No.

14917 of 2012.

The writ petitioners claim to have appointed as Assistant Teachers in different elementary schools in the year 1988. They approached this Court for quashing of letter no. 2729, dated 03.07.2012 and letter no. 45, dated 23.04.2012, whereby they have been directed to deposit the excess amount paid to them by Treasury Challan.

This Court observed that if the petitioners are appointed in the year 1988 from select penal, they will be entitled to similar reliefs, as has been granted to the appellant in the case of **Chandra Kant Vrs. State of Bihar, passed in L.P.A. No. 412 of 2013, reported in 2010(4) PLJR 733.**

Learned counsel appearing for the State submits that a show-cause has been filed stating that the petitioner did not clear the In-Service Training Examination in first attempt, rather, they cleared it only in the second attempt. In case of Chandra Kant (supra), the Court has taken care of the aforesaid situation where an Assistant Teacher clears In-Service Training Examination in the second attempt.

The petitioners, as such, would be entitled to the matriculate trained scale from the date they cleared their In-Service Training Examination in the second attempt, as observed

in the case of Chandra Kant (Supra) as well.

The contempt application is disposed of with the direction contained therein in this order.

(Samarendra Pratap Singh, J)

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