

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.521 of 2017

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Shama Ruhi, Wife of Md. Mobinul Haque, Resident of Katra Nadi More, P.O.
Biharsharif, P.S. Laheri, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Education, Patna, Bihar
3. The Director, Madhyamik Education, Patna Bihar
4. The District Education Officer, Nalanda
5. The Principal Uchch Vidyalaya, Pilach, Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Alka Verma, Advocate

For the Respondent/s : Mr. Prabhat Ranjan Singh, AC to AAG15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 01-12-2017

Heard learned counsel for the petitioner and State.

2. Mrs. Alka Verma, counsel for the petitioner submits that vide Annexure-5, the District Education Officer, Nalanda has already forwarded the service book and other relevant documents for decision of the Director, Secondary Education, Bihar in the matter of grant of trained pay scale to the Assistant teacher of Jawahar Kanya High School, Jhing Nagar, Bihar Sharif, Nalanda. Annexure-5 is dated 18.02.2009 and we are in 2017, the Director, Secondary Education, Bihar was required to decide the claim of the petitioner in the light of the letter contained in Annexure-5 at the earliest.

3. Unfortunately after 8 long years, the Director, Secondary Education, Bihar has not taken decision in the matter and,



as such, the petitioner was compelled to approach this Court by way of filing the instant writ application. In the aforesaid circumstance, there is no point in keeping the writ application pending, this Court is constrained to direct the Director, Secondary Education, Bihar (respondent no.3) to take a final decision with regard to trained pay scale of the petitioner in the light of Annexure-5 preferably within a period of 60 days from the date of receipt/production of a copy of this order.

4. In case, the Director, Secondary Education, Bihar finds the claim of the petitioner unsustainable for any reason, he has to assign reason for non-grant of trained scale to the petitioner within the aforesaid 60 days indicated hereinabove.

5. With the aforesaid observation, this application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.12.2017
Transmission Date	NA

