

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3636 of 2017

- =====
1. Ram Janam Singh, Son of- Late Ram Prasad Singh, Resident of Village- Gorauli, Post- Office- Mahua, P.S.- Baikunthpur, District- Gopalganj.
 2. Yadawalal Sah, Son of- Late Sita Sah, Resident of Village- Dubauli, Post Office- Dighwa Dubauli, P.S.- Baikunthpur, District- Gopalganj.
 3. Dhruva Prasad, Son of- Late Jagannath Prasad, Resident of Village- Dighwa, Post Office- Dighwa Dubauli, P.S.- Baikunthpur, District- Gopalganj.
 4. Madan Gopal Pandey, Son of- Late Hargovind Pandey, Resident of Village- Gangra, Post Office- Paharpur, P.S.- Baikunthpur, District- Gopalganj.
 5. Raj Nath Sah, Son of- Late Balchand Sah, Resident of Village- Terua, Post Office- Faizullahpur, P.S.- Baikunthpur, District- Gopalganj.
 6. Rajendra Singh, Son of- Late Gagandeo Singh, Resident of Village- Kateya Khas, Post Office- Teknawas, P.S.- Sidhwalia, District- Gopalganj.
 7. Sureshwar Prasad Singh, Son of- Late Dharmdeo Singh, Resident of Village- Terua, Post Office- Faizullahpur, P.S.- Baikunthpur, District- Gopalganj.
 8. Ram Balist Singh, Son of- Late Chandrika Singh, Resident of Village+ Post Office- Maharani, Post Office- Baikunthpur, District- Gopalganj.
 9. Shivji Singh, Son of- Late Mangal Singh, Resident of Village+ Post Office- Koiladewa, P.S.- Phulwaria, District- Gopalganj.
 10. Kailashpati Tiwari, Son of- Late Uttim Tiwari, Resident of Village- Maripur, Post Office+ P.S.- Phulwaria, District- Gopalganj.
 11. Shafia Khatoon, Wife of- Late Abul Hasan Ansari, Resident of Village- Kotwa (Koirihata), Post Office+ P.S.- Barauli, District- Gopalganj.
 12. Shahid Hasan, Son of- Late Abul Hasan Ansari on behalf of his Late- Father who passed away ten days back, Resident of Village- Kotwa (Koirihata), Post Office+ P.S.- Barauli, District- Gopalganj (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Gopalganj.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shafiur Rahman, Advocate

For the Respondent/s : Mrs. Usha Kumari Singh, AC to SC-13

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 05-12-2017

Heard learned counsel for the petitioners and the
learned counsel for the respondents.

2. Counsel for the petitioners with reference to



Annexure-2, the order dated 28.01.2013 passed in C.W.J.C. No. 13767 of 2009 and order dated 24.01.2017 passed in C.W.J.C. No. 16120 of 2016 submits that the petitioners are entitled for payment of 20% allowance in terms of Rule 103 of the Bihar Service Code.

3. From the pleading, it appears that the petitioners have rendered services as headmaster for a considerable long time and as such the petitioners are entitled for payment of allowance in terms of Rule 103 of the Bihar Service Code.

4. Accordingly, the writ petition is disposed of with a direction to respondent no.3 [District Programme Officer (Establishment), Gopalganj] to take a final decision for payment of 20% allowance of the headmaster in terms of Rule 103 of the Bihar Service Code. Such exercise must be completed within a period of two months from the date of receipt/production of a copy of this order along with the representation.

(Anil Kumar Upadhyay, J)

Uday/-

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

