

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6410 of 2017

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1. Mahendra Sah Son of Late Jamun Sah Retired Assistant Teacher, Primary School, Badia, Block - Veerpur, P.S. - Veerpur, District - Begusarai, Resident of Village - Bhawanandpur, P.O. - Panapur, P.S. - Veerpur, District - Begusarai.
 2. Ramakant Jha Son of Late Saryug Jha Retired Assistant Teacher, Middle School Panapur, Veerpur, Begusarai, Resident of Village - Panapur, P.S. Veerpur, Begusarai.
 3. Sachidanand Singh Son of Late Hriday Narayan Singh Retired Assistant Teacher, Primary School, Naula Mushahari, P.S. Veerpur, District - Begusarai, Resident of Village - Panapur, P.S. - Veerpur, District - Begusarai.
 4. Krishnadev Mishra Son of Late Jaganath Mishra Retired Assistant Teacher, Middle School, Gara, Block - Veerpur, P.S. - Veerpur, District - Begusarai, Resident of Village - Bhawanandpur, P.S. - Veerpur, District - Begusarai. ... Petitioner/s
- Versus
1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
 2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
 3. The District Education Officer, Begusarai.
 4. The District Programme Officer (Establishment), Begusarai. ... Respondent/s
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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Singh
Mr. Sushil Kumar Ray
For the Respondent/s : Mr. Subhash Chandra Mishra- Sc16

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 03-04-2018 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The grievance of the petitioners in the present writ application is non-consideration of their cases for grant of financial up-gradation in Grade-III.

Learned counsel for the petitioners submits that juniors to the petitioners have been granted such benefit. Even those who were granted from grade II in 2004 were considered and granted IIIrd scale but ignoring the seniority of the



petitioners, who were granted grade-II scale in the year 1994-1995, the respondents have arbitrarily granted such benefits to the persons admittedly junior to the petitioners.

Considering the above, the writ petition is disposed of with a direction to the respondents to examine the claim of the petitioners and if it is found that the persons granted Grade-II Scale in 2004 have been granted such benefit but the petitioners who were granted Grade-II Scale in 1995 have been ignored by the respondents, they are required to take corrective measures and grant benefit of such financial upgradation in grade III Scale from the date juniors have been granted such financial upgradation. Final decision in this regard should be taken by the respondent Nos. 3 and 4 within a maximum period of 60 days from the date of receipt/production of a copy of this order. They are also required to extend the consequential benefits to the petitioners within the time frame as indicated above.

With the aforesaid the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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