

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.303 of 2018

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Kapil Narayan Sharma, Son of Late Raghubansh Sharma, Resident of Village- Sikariya, P.S.- Tekari, District- Gaya, Retired Assistant Eachar from Middle School Kusap, P.S.- Tekari, District- Gaya. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
 2. The Director Primary Education, Bihar, Patna.
 3. The District Magistrate cum Chairman of District Education Establishment cum Promotion Committee, Gaya.
 4. The District Education Officer, Gaya.
 5. The District Programme Officer (Establishment) Gaya.
 6. The Block Education Officer, Belaganj, Gaya. Respondent/s
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with

Civil Writ Jurisdiction Case No.307 of 2018

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Sinhgasan Paswan, Son of Late Meghnath Paswan, Resident of Village- Paibigha, P.S.- Men (Belaganj), District- Gaya. At present Asst. Teacher in Up graded School, Moranghpur, Belaganj, Gaya. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
 2. The Director Primary Education, Bihar, Patna.
 3. The District Magistrate cum Chairman of District Education Establishment cum Promotion Committee, Gaya.
 4. The District Education Officer, Gaya.
 5. The District Programme Officer (Establishment) Gaya.
 6. The Block Education Officer, Belaganj, Gaya. Respondent/s
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with

Civil Writ Jurisdiction Case No.344 of 2018

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Kunti Kumari, Wife of Sri Rajeshwar Prasad, Resident of Village- Paibigha, P.S.- Men (Belaganj), District- Gaya. Retired Assistant Teacher from Middle School Paibigha, P.S.- Men (Belaganj), District- Gaya..

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
 2. The Director Primary Education, Bihar, Patna.
 3. The District Magistrate cum Chairman of District Education Establishment cum Promotion Committee, Gaya.
 4. The District Education Officer, Gaya.
 5. The District Programme Officer (Establishment) Gaya.
 6. The Block Education Officer, Belaganj, Gaya. Respondent/s
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with

Civil Writ Jurisdiction Case No.350 of 2018

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Raj Kishore Chaudhary, Son of Late Ram Barat Chaudhary, Resident of Mohalla- Unta Madarpur, P.S.- Jehanabad, District- Jehanabad Presently Posted as Asst. Teacher in Primary School, Paibigha, Belaganj, Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Director Primary Education, Bihar, Patna.
3. The District Magistrate cum Chairman of District Education Establishment cum Promotion Committee, Gaya.
4. The District Education Officer, Gaya.
5. The District Programme Officer (Establishment), Gaya.
6. The Block Education Officer, Belaganj, Gaya. Respondent/s

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With

Civil Writ Jurisdiction Case No.352 of 2018

Shyam Lal Prasad Yadav, Son of Late Dev Prasad Yadav, Resident of Village- Jagpura, P.S.- Makhdumpur, District- Jehanabad Retired Asst. Teacher Urdu Primary School Bajipur, P.S.- Belaganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate cum Chairman of District Education Establishment cum Promotion Committee, Gaya.
4. The District Education Officer, Gaya.
5. The District Programme Officer (Establishment) Gaya.
6. The Block Education Officer, Belaganj, Gaya. Respondent/s

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Appearance :

(In CWJC No.303 of 2018)

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG-15
Mr. R. P. Singh, AC to AAG-15

(In CWJC No.307 of 2018)

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Mr. S.C. Mishra- Sc16

(In CWJC No.344 of 2018)

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Smt. Binita Singh, SC-28
Mr. Apurv, Ac to SC-28

(In CWJC No.350 of 2018)

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Mr. Jitendra Kumar Roy No-1, Sc13

(In CWJC No.352 of 2018)

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Smt. Shilpa Singh- Ga12

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**



ORAL ORDER

2 24-01-2018 Heard learned counsel for the petitioners and the Respondents.

Mr. Binod Kumar, learned counsel appearing on behalf of the petitioners submits that C.W.J.C. No. 18261 of 2017 was disposed of vide order dated 20.12.2017 with a direction to the respondents District Education Officer and District Programme Officer (Establishment), Gaya to place the case of the petitioner along with the other eligible candidates before the District Education Establishment Committee for appropriate decision in the matter of grant of such grade pay, as claimed by the petitioner within a period of three months from the date of receipt/production of a copy of this order.

In view of the order passed in C.W.J.C. No. 18261 of 2017 dated 20.12.2017, these writ applications are also disposed of with liberty to the petitioners to represent the District Education Officer and District Programme Officer (Establishment), Gaya, who shall look into the grievance of the petitioners and pass a reasoned and speaking order within a period of three months from the date of receipt/production of a copy of this order.

It is made clear that this Court has not expressed any opinion on the merit of the claim of the petitioners, it shall be the



responsibility of the District Education Officer and District Programme Officer (Establishment), Gaya to examine the claim of the petitioners in view of the seniority list prepared by the respondents for the District of Gaya. The respondent authorities to take final decision and ensure monetary benefit, if any, find admissible and payable to the petitioners.

(Anil Kumar Upadhyay, J)

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