

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7493 of 2018

1. Mahesh Prasad, S/o Gopal Prasad, Resident of Village +P.O. +P.S.- Bhagwanpur, Distt. Siwan.
2. Nagendra Kumar, S/o late Ram Layak Ram, Resident of Village- Bishunpura, P.O.-Suhremanpur, P.S. Bairiya, District-Balia (U.P).
3. Radhey Shyam Pandey, S/o Hardeo Pandey, Resident of Village- Nadauwa, P.O. +P.S.- Baniyapur, District- Saran.
4. Hamida Khatoon, W/o Asgar Ali, Resident of Village +P.O.- Dumri, P.S. Manjhi, District- Saran.
5. Junaid, S/o Jahir, Resident of Mohalla- Dahiyawan, P.O. Chapra, P.S. Bhagwan Bazar, District- Saran at Chapra.
6. Shyam Narayan Manjhi, S/o Jayshree Manjhi, Resident of Village- Majjegova, P.O. Gova Piparpati, P.S. Baniyapur, District- Saran.
7. Suchit Kumar, S/o Shri Ram Lakshan Sah, Resident of Village- Rasulpur, P.S. Sutihar, P.S. Derni, District- Saran.
8. Birendra Prasad Sah, S/o Dudhnath Prasad Sah, Resident of Village- Ibrahimpur, P.O. Harpur Karah, P.S. Baniyarpur, District- Saran.
9. Uma Shankar Sah, Son of Ram Sagar Sah, Resident of Village- Sadhpur Balli, P.O. Lajuar, P.S. Kopa, District- Saran.
10. Sushil Kumar Singh, Son of Shiv Bachan Singh, Resident of Village +P.O- Ghegha, P.S. Chapra Muffasil, District- Saran.
11. Mojibur Rahman, S/o Miyajan Ansari, Resident of Mohalla- Purvi Dahiyawan, P.S. Chapra Muffasil, District- Saran.
12. Ravindra Prasad Sah, S/o Lakshman Sah, Resident of Village- Chakdah, Banpura Bazar, P.S. Chapra Muffasil, District- Saran.
13. Shivrath Ram, S/o Sukhdeo Ram, Resident of village- Bigaha, P.O. Bigaha, P.S. Manjhi, District- Saran.
14. Ashok Kumar, Son of late Chhotan Ram, Resident of Ratanpura, P.O. +P.S. Bhagwan Bazar, District- Saran.
15. Santosh Kumar Pandey, Son of late Nageshwar Pandey, Resident of Village- Gangouli, P.O. +P.S. Mashrakh, District- Saran.
16. Manindra Kumar Pandey, Son of Sachidanand Pandey, Resident of Village- Bishnupura, P.O. +P.S. Jalapur, District- Saran.
17. Hari Narayan Das Gupta, Son of Rambabu Das, Resident of Village+P.O. +P.S.- Garkha, District Saran.
18. Jamil Ansari, Son of late Habibullah Ansari, Resident of Village- Sarai Saho, P.O. Parsa, P.S. Dariyapur, District- Saran.
19. Md. Kasim, Son of Md. Yakub, Resident of Village +P.O.- Anjani, P.S. Parsa, District- Saran.
20. Insaf Ali, Son of Nabi Ansari, Resident of Muhalla- Nai Bazar, P.O. Chapra, P.S. Bhagwan Bazar, District- Saran.
21. Shamshad Ali, Son of Aadim Mian, Resident of Shyamchak Brahmpur Pool, P.O. Chapra, P.S. Bhagwan, Bazar, District Saran.
22. Sanjay Kumar Singh, Son of Hulash Singh, Resident of Mullaha- Salamtganj, Gudri Bazar, P.S. Bhagwan Bazar, District- Saran.
23. Md. Arif Ansari, Son of Abdul Jabbar Ansari, Resident of Village+P.O. Mubarakpur, P.S.- Marhaura, District- Saran.
24. Amar Kumar Dubey, Son of late Satyanarayan Dubey, Resident of Village +P.O.- Marhopur, P.S. Ekma, District- Saran.



.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Director, Primary Education, Human Resources Development Department (Primary Education), Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Chapra.
5. The Education Officer, Saran at Chapra.
6. The District Programme Officer (Establishment), Saran at Chapra.

.... Respondents

=====

Appearance :

For the Petitioners : Mr. Krishna Kumar, Advocate.

For the Respondents : Mr. Madanjeet Kumar, G.P. 20.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioners and learned
counsel for the respondents.

The following reliefs have been sought for by the
petitioners in the present writ application.

“1. That this writ application is being filed for issuance of an appropriate writ/writs, order or orders in the nature of mandamus for directing and commanding the respondents to forthwith give all service benefits including the promotion on the post of Assistant Teacher to the petitioners treating them as Matric Trained Teacher like other trained teachers in pursuance to the government resolution issued by the Human Resources Development Department, Government of Bihar, dated 13.09.2013 issued under the signature of Joint Secretary, Department of Education, Government of Bihar, by which the respondent State of Bihar, Department of Education had decided to give Matric



Trained Scale to the untrained teachers appointed in 1994 batch or even prior to that should get the Matric Trained Scale fro 05.09.99 to 30.09.03 effective from 01.10.03 and further considering the fact that the person junior to the petitioners have been granted such Matric Trained Scale notionally in terms of the aforesaid resolution dated 13.09.13.”

It has been submitted by learned counsel for the petitioners that the case of the petitioners is squarely covered by the order passed by another co-ordinate Bench of this Court in C.W.J.C. No. 5186 of 2018 dated 27.03.2018.

The respondent no. 4, the Regional Deputy Director of Education, Chapra, is directed to examine the case of the petitioners in light of the order passed in C.W.J.C. No. 5186 of 2018 dated 27.03.2018 and pass an appropriate order in accordance with law within a period of three months from the date of receipt/production of copy of this order.

With the aforesaid observations and directions, the present writ application stands disposed of.

U.K./-

U			
---	--	--	--

(Sudhir Singh, J)

