

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.10509 of 2018**

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Jay Vikas Kumar, Son of late Kennath Kumar, resident of Village-Haranganj, P.O. College More, P.S. Town, District - Hazaribagh (Jharkhand) at present Block Teacher, Govt. Girl Middle School, Mohiuddinnagar Block Mohiuddinnagar, Distt. Samastipur.

.... .... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
4. The District Magistrate, Samastipur.
5. The District Education Officer, Samastipur.
6. The District Programme Officer (Establishment), Samastipur.
7. The Block Education Officer, Mohiuddinnagar, Samastipur.
8. The Block Development Officer Mohiuddinnagar, Samastipur.

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Abhay Kumar Jha, Advocate.

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

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      03-08-2018                      Heard learned counsel for the petitioner and learned  
counsel for the respondents.

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

“1. That this writ application is being filed  
for issuance of a direction to the  
respondents to consider the case of the  
petitioner regular pay scale in term of the  
judgment of Hon’ble Apex Court in  
Vishwanath Pandey Vs The State of  
Bihar and Ors. reported in 2013 (3) PLJR  
305 as well as the judgment of (Mukesh  
& Others Vs. The State of Bihar and



others) reported in 2017(5) SCC 383. That this writ application is also being filed for issuance of a direction to the respondents to appoint the petitioner on Class-III post on regular basis or to continue the petitioner as a Teacher on regular pay scale. That this writ application is also being filed for issuance of a direction to the respondents to pay the differences of salary from the date of appointment with all consequential benefits to the petitioner.”

It has been submitted by learned counsel for the petitioner that the case of the petitioner is squarely covered by the order passed by another co-ordinate Bench of this Court in C.W.J.C. No. 8963 of 2018 dated 11.05.2018.

The respondent no. 6, the District Programme Officer (Establishment), Samastipur, is directed to examine the case of the petitioner in light of the order passed in C.W.J.C. No. 8963 of 2018 dated 11.05.2018 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./-

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**(Sudhir Singh, J)**

