

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6296 of 2016**

=====

Md. Hasim Saiyad, Son of Late Mahboob Ali, Resident of Village - Chak Dumaria,  
Punarvash, P.O. - Karanpur, P.S. - Supaul, District - Supaul. .... Petitioner/s  
Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
  2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
  3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
  4. The Director, Secondary Education, Department of Education, Government of Bihar, Patna.
  5. The Regional Deputy Director of Education, Koshi Division, Saharsa.
  6. The District Education Officer, Supaul. .... Respondent/s
- =====

**Appearance :**

For the Petitioner/s : Mr. Amrit Abhijat, Advocate  
For the Respondent/s : Mr. Manish Kumar- GP8

=====

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL JUDGMENT**  
**Date: 04-04-2018**

Heard learned counsel for the petitioner and State.

Initially the present writ application has been filed after service of two advance copies on 05.04.2016 to the office of learned Advocate General. Even after expiry of two years, neither the counter affidavit has been filed by the respondents nor the grievance of petitioner has been redressed. Under the aforesaid circumstances, this Court is constrained to dispose of the writ application without waiting for counter affidavit.

The petitioner retired on 31.07.2009 after serving for more than 35 years. The grievance of the petitioner in the present writ application is non-consideration of his case for grant of Super Selection Scale. With reference to Annexure-6, learned counsel for the petitioner submits that the respondents have taken a decision to



consider the case of teachers of nationalized school for grant of Super Selection Scale on completion of 24 years.

Learned counsel for the petitioner submits that the petitioner has completed more than 35 years of service and as such in terms of Annexure-3, the petitioner was entitled to be considered for grant of Super Selection Scale, but the respondents have not considered the case of the petitioner, although he superannuated on 31.07.2009.

In the aforesaid background, the writ application is disposed of with a direction to respondent District Education Officer, Supaul to consider the case of the petitioner in the light of Annexure-3, if not already decided, within a period of 60 days from the date of receipt/production of a copy of this order.

It is needless to state here that if the District Education Officer (respondent no.6) finds substance in the claim of the petitioner for grant of Super Selection Scale in terms of Annexure-3 necessary consequential order may also be passed by the respondents within the time frame, as indicated hereinabove.

**(Anil Kumar Upadhyay, J)**

Uday/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 09.04.2018 |
| Transmission Date |            |

