

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4747 of 2018

1. Ranjit Kumar Choudhary, Son of Late Parmeshwar Choudhary, Resident of Mohalla- Nakhsh Chowk, South of Town Middle School, Posted at U.M.S. Khilwat, Block- Bidupur, District- Vashali.
2. Garib Nath Choudhary, Son of Late Bhola Choudhary, Resident of Village- Hela Bajar, Hajipur, P.S.- Hajipur Nagar, District- Vaishali posted at UMS Sidhau, Block- Hajipur, District- Vaishali.
3. Sanjay Kumar Singh, Son of Late Thakur Rajendra Singh, Resident of Village- Kharika, P.S.- Desri, Block, Bidupur, District- Vaishali posted at GPS Teliya, Block- Rajapakar, District- Vaishali.
4. Lalbabu Bhakta, Son of Ram Khelawan Bhakta, Resident of Village- Vihwarpur, P.S.- Bidupur, District- Vaishali posted at G.M.S., Bakarpur, Block- Rajapakar, District- Vaishali.
5. Umesh Singh, Son of Late Kapildeo Singh, Resident of Village Chak Fateh, P.S.- Jandaha, District- Vaishali posted at G.M.S. Chouhatta Block, Hajipur, District- Vaishali.
6. Subhash Choudhary, Son of Late Babulal Choudhary, Resident of Village- Arnia, P.S.- Jandaha, District- Vaishali posted at U.M.S., Jagdishpur, Block- Jandaha, District- Vaishali.
7. Kailash Sah, Son of Judagi Sah, Resident of Village- Veerapur, P.S.- Jurawanpur, District- Vaishali, Posted at G.M.S. Terasia, Block- Raghobpur, District- Vaishali.
8. Sudhanshu Kumar Jayaswal, Son of Kishori Prasad Jayaswal, Resident of Village- Bari Durga Ji Road Ward No. 7, P.S.- Mahnar, District- Vaishali, Posted at G.M.S. Mahnar Balak, Block- Mahnar, District- Vaishali.
9. Subodh Kumar Singh, Son of Late Surajdeo Singh, Resident of Village- Ishhakpur, P.S.- Mahnar, District- Vaishali, Posted at G.P.S. Kumharkol Bujurg, Block- Sahdei Bujurg, District- Vaishali.
10. Pranay Kumar Singh, Son of Late Akshaywat Singh, Resident of Village- Ishhakpur, P.S.- Mahnar, District- Vaishali, Posted at G.M.S. Mahnar 2, Block- Mahnar, District- Vaishali.
11. Sudhir Kumar Singh, Son of Late Devendra Pd. Singh, Resident of Village- Vishanpur, P.S.- Mahnar, District- Vaishali, Posted as G.P.S. Rampur Kumharkol Kanya, Block- Sahdei Bujurg, District- Vaishali.
12. Ganesh Ram, Son of Late Pyare Ram, Resident of Village- Lavapur Narayan, P.S.- Mahnar, District- Vaishali, Posted at GPS. Lavapur Purvi, Block- Mahnar, District- Vaishali.
13. Ajeet Kumar, Son of Late Balmiki Pd. Singh, Resident of Village- Dayalpur, P.S.- Rajapakar, District- Vaishali, Posted at G.M.S. Belkunda, Block- Rajapakar, District- Vaishali.
14. Amodanand, Son of Sri Fekan Baitha, Resident of Village- Sendurai, P.S.- Hajipur, District- Vaishali, Posted at G.M.S. Bilanpur, Block- Rajapakar, District- Vaishali.
15. Alok Kumar, Son of Rameswar Bhakta, Resident of Village- Hariharpur, P.S.- Hajipur Sadar, District- Vaishali, Posted at G.M.S. Mahua Balak, Block- Mahua, District- Vaishali.



16. Virendra Prasad, Son of Late Singeswar Baitha, Resident of Village- Rajouli, P.S.- Hajipur Sadar, District- Vaishali, Posted at G.P.S. Baidyanathpur Kanya, Block- Rajapakar, District- Vaishali.
17. Anil Kumar Ram, Son of Late Lakshman Ram, Resident of Village- Ataulapur, P.S.- Lalganj, District- Vaishali, Posted at G.M.S. Jehanabad, Block- Lalganj, District- Vaishali.
18. Hare Krishna Singh, Son of Late Deepnarayan Singh, Resident of Village- Jahangirpur Salkhanni, P.S.- Mahua, District- Vaishali, Posted at U.M.S. Kushhar, Block- Mahua, District- Vaishali.
19. Siveswar Paswan, Son of Late Shyam Nandan Paswan, Resident of Village- Mohanpur Dhanraj @ Kheerachak, P.S.- Mahua District- Vaishali, Posted at U.M.S. Kheerachak, Block- Mahua, District- Vaishali.
20. Md. Zahid Hussain, Son of Md Idris Shamim, Resident of Kanti Chakmubarak, P.S.- Lalganj, District- Vaishali, Posted at G.P.S. Madarna, Julahi Tola, Block- Vaishali, District- Vaishali.
21. Manoj Kumar, Son of Srinath Ishwar, Village- Hari Prasad, P.S.- Jandaha, District- Vaishali, Posted at U.M.S. Ghoswar, Block- Hazipur, District- Vaishali.
22. Sri Hari, Son of Sitaram Sharma, Resident of Village- Gorigama, P.S.- Rampura, District- Muzaffarpur posted at GMS Vaishali Balak, Block- Vaishali, District- Vaishali.
23. Lal Mohammad, Son of Isuddin Miyan, Resident of Village- Basara @ Majhoulia, District- Paschim Champaran Posted at G.P.S. Madarna Julahi Tola, Block- Vaishali, District- Vaishali.
24. Shobha, Daughter of Satya Narayan Thakur, Resident of Bagmali, Hazipur, P.S.- Hajipur Nagar, District- Vaishali, Posted at G.M.S. Anawarpur, Block- Hajipur, District- Vaishali.
25. Baban Das, Son of Late Dukhan Das, Resident of Rampur Hajipur, P.S.- Hajipur, District- Vaishali, Posted at U.M.S. Bidupur Dih, Block- Bidupur, District- Vaishali.
26. Rajendra Choudhary, Son of Late Jageshwar Choudhary, Resident of Village- Kajari, Bujurg, P.S.- Jandaha, District- Vaishali, Posted at G.P.S. Madhaul Khurd, Block- Desari, District- Vaishali.
27. Sanjay Kumar, Son of Late Baleshwar Bhagat, Resident of Village- Pachiskurba, Hajipur, P.S.- Hajipur, District- Vaishali, Posted at U.M.S. Pakari, Block- Bidupur, District- Vaishali.
28. Pankaj Kumar, Son of Late Haridwar Singh, Resident of Village- Akhtiyarpur, P.S.- Sarai, District- Vaishali, Posted at G.P.S. Chaksaid Hajipur District- Vaishali.
29. Satyendra Kumar Singh, Son of Late Krishna Ballabh Singh, Resident of Village- Roudipokhar, P.S.- Lalganj, District- Vaishali, Posted at G.M.S. Balwa Kuari, Block- Hajipur, District- Vaishali.
30. Harinandan Prasad Singh, Son of Late Gulab Singh, Resident of Village- Rupsipur, P.S.- Jandaha, District- Vaishali, Posted at Kamala Kanya Madhya School Karnauti District- Vaishali.



31. Harendra Paswan, Son of Late Giraja Paswan, Resident of Village- Jaganath Basant, P.S.- Lalganj, District- Vaishali, Posted at Jehanabad, Block- Lalganj, District- Vaishali.
32. Badri Prasad Gupta, Son of Jag Narayan Gupta, Resident of Village- Hathsarganj, P.S.- Haji Nagar, District- Vaishali, Posted at U.M.S. Dharhara, Block- Hajipur, District- Vaishali.
33. Ganesh Kumar, Son of Sri Ram Lakhan Singh, Resident of Village- Dumari Chak, P.S.- Raja Pakar, District- Vaishali, Posted at G.M.S. Dumari, Block- Raja Pakar, District- Vaishali.
34. Umesh Kumar, Son of Sri Ram Lakhan Singh, Resident of Village- Dumari Chak, P.S.- Raja Pakar, District- Vaishali, Posted at G.M.S. Narharpur, Block- Jandaha, District- Vaishali.
35. Surendra Prasad Singh, Son of Raj Narayan Singh, Village- Shioganj, P.S.- Bidupur, District- Vaishali, Posted at G.P.S. Bahuara Kanya School, Block- Hajipur, District- Vaishali.
36. Shatrughan Paswan, Son of Kishto Paswan, Resident of Village- Sain, P.S.- Belsar, District- Vaishali, Posted at G.M.S. Nikanthpur, Block- Mahua, District- Vaishali.
37. Arvind Kumar, Son of Ramanand Singh, Resident of Village- Piroi, P.S.- Goroul, District- Vaishali, Posted at U.M.S. Pokharaila, Block- Hajipur.
38. Mukund Kumar Singh, Son of Birendra Prasad Singh, Village- Sherpur, P.S.- Mahua, District- Vaishali, Posted at G.M.S. Rampur, Block- Jandaha, District- Vaishali. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Muzaffarpur.
6. The District Education Officer, Vaishali.
7. The District Program Officer (Establishment), Vaishali. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Arabind Nath Pandey Mr. Varun Kumr
For the Respondent/s	:	Mr. Jitendra Kumar Roy No-1 -Sc13

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-03-2018 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners have filed the present writ application for a
direction to the respondents to grant senior pay-scale on



completion of 'Kalawadhi' of 12 years.

Learned counsel for the petitioners submits that the issue raised in the present writ application is no more res integra. A coordinate Bench of this court had occasioned to decide the issue in C.W.J.C. No. 6139 of 2007 vide order dated 31.3.2011. The order of the writ court was affirmed by the LPA court in LPA No. 756 of 2015 dated 1.11.2017.

In view of the above, the present writ application is also disposed of with direction to the respondents to examine the case of the petitioners in the light of the decision of writ court in C.W.J.C. No. 6139 of 2007 dated 31.3.2011 as affirmed by the LPA Court in LPA No. 756 of 2015 dated 1.11.2017.

Final decision in this regard must be taken by the respondents within a period of sixty days from the date of receipt/production of a copy of this order and all consequential benefit including the monetary benefit should be extended to the petitioners within a further period of 30 days from the date of such decision by the respondents.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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