

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10031 of 2013

Shibasis Banerjee S/O Late Bishwanath Banerjee Resident Of House No. 69,
Road No. 4, Kishori Mohan Complex, Near Chandauti More, Town And
District - Gaya, At Present Posted As Assistant Teacher, Government Middle
School, Bandhua, Manpur, Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government Of Bihar, Patna
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3. The Director, Primary Education, Government Of Bihar, Patna
4. The District Magistrate, Gaya
5. The Deputy Development Commissioner - Cum - Chairman, District
Education Establishment Committee, Gaya
6. The Regional Deputy Director Of Education, Gaya
7. The District Education Officer, Gaya
8. The District Programme Officer (Establishment) Gaya
9. The District Treasury Officer, Gaya
10. The District Accounts Officer, Gaya
11. The Block Education Officer, Manpur Block, District Gaya
12. The Headmaster - Cum - Drwaing & Disbursing Officer, Government Middle
School Manpur Adda, District Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Subhash Pd. Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 12-10-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

The issue raised in this writ application is no more
res integra as a coordinate Bench of this Court had decided the
issue that the persons who failed in some papers and were
allowed to sit as a compartmental examinees, would be treated
to have passed the examination in the first attempt itself and
their entitlement of pay scale will be from 01.10



2003. Such decision was upheld by the Division Bench of this Court in L.P.A. No. 1870 of 2015.

In view of the above, the respondents are directed to consider the case of the petitioner in the light of the decision of this Court in C.W.J.C. No. 2892 of 2013 and analogous cases within a maximum period of three months, from the date of receipt/ production of this order and grant all consequential benefit within the same period.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

T.Kr./-

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