

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9053 of 2018

1. Arun Kumar Son of late Ramnaresh Thakur Resident of Village-Repura, Post- Lalganj, District- Vaishali, Presently Posted as Assistant Teacher Upgraded Middle School, Kharauna, Block-Lalganj, District- Vaishali.
2. Satish Kumar Sinha Son of Sri Purushottam Prasad Sinha, Kishor Resident of Mohalla- Khata Jangi Post- Hajipur Town, Police Station- Nagar Thana, Hajipur(Vaishali), Presently Posted as Assistant Teacher, Upgraded Middle School, Dhegadih, Block-Lalganj, District- Vaishali.
3. Arun Ram Son of Sri Ramnath Singh Resident of Village-Chandi, Post- Harauti, Police Station- Hajipur Sadar, District-Vaishali, Presently Posted as Assistant Teacher, Primary School, Agarpur, Block-Lalganj, District- Vaishali.
4. Dalweshwar Chaudhary Son of late Raghunath Chaudhary Resident of Village- Pokshiya, Post- Lalganj, Police Station-Lalganj, District- Vaishali, Presently Posted as Assistant Teacher, Upgraded Middle School Totha, Block- Lalganj, District- Vaishali.
5. Keshav Kishore Son of Sri Saryu Ram Resident of Village-Ashadpur Satpura, Post Satpura, Police Station- Bhagwanpur, District- Vaishali, Presently Posted as Assistant Teacher, Middle School, Madhusudan, Pakri, Block- Lalganj, District- Vaishali.
6. Hira Paswan Son of late Saryug Paswan Resident of Village-Madhavpur, Post-Baluka Ram, Police Station Vaishali, District-Vaishali, Presently Posted as Upgraded Middle School , Shyampur Pakri, Block- Lalganj, District- Vaishali.
7. Arvind Kumar Rakesh Son of Ganga Mahto Resident of Village Husaina Raghav, Post Baluka Ram, Police Station- Vaishali, District-Vaishali, Presently Posted as Assistant Teacher, Middle School, Ram Nagar, Pakri, Kans, Block- Lalganj, District-Vaishali.
8. Raj Kumar Rai Son of Bhup Narayan Rai Resident of Village-Sir Knowan, Post- Bhagwanpur, Police Station- Bhagwanpur, District-Vaishali, Presently Posted as Assistant Teacher, Upgraded Middle School, Pratap Tand, Block- Bhagwanpur, District- Vaishali.
9. Dasrath Kumar Paswan Son of Deoki Paswan Resident of Village- Adalpur, Post Dighi Kala, Police Station- Hajipur, District- Vaishali, Presently Posted as Assistant Teacher, Upgraded Middle School, Balua Basanta, Block Lalganj, District- Vaishali.
10. Surendra Tiwari Son of late Viranchi Tiwari Resident of Village-Rikhar, Post Rikhar, Police Station- Lalganj, District- Vaishali, Presently Posted as Assistant Teacher, Upgraded Middle School, Pirapur, Block- Lalganj, District- Vaishali.
11. Kaushal Kishore Dwivedi Son of Sri Yogendra Dwivedi Resident of Village- Banthu, Post Satpura, Police Station-Bhagwanpur, District- Vaishali, Presently Posted as Assistant



Teacher, Middle School, Bhagwanpur, Block- Bhagwanpur, District- Vaishali.

12. Deepak Kumar Son of Sri Rajendra Das Resident of Village- Rahsa East, Post- Bhagwanpur, Police Station- Bhagwanpur, District- Vaishali, Presently Posted as Assistant Teacher, Upgraded Middle School, Sherbopur Dadhiya, Block Bhagwanpur, District- Vaishali.
13. Md. Rizwan Ali Son of Anwarul Haque Resident of Village- Bihari, Post- Bidhauli, Police Station- Bhagwanpur, District- Vaishali, Presently Posted as Assistant Teacher, Upgraded Middle School, Ashoyee, Block- Bhagwanpur, District- Vaishali.
14. Md. Misbahuddin Son of Late Kari Resident of Village- Usmav Chak Saleh, Ward No. 12, Nagar Panchayat Lalganj, Police Station- Lalganj, District- Vaishali, Presently Posted as Assistant Teacher, Upgraded Middle School, Kamalpur Urdu, Block, Lalganj, District- Vaishali.
15. Sanjay Kumar Son of late Kripal Prasad Resident of Village- Chandi, Post Office, Harauli, Police Station- Hajipur, District- Vaishali, Presently Posted as Assistant Teacher, Middle School, Ataullahpur(Hindi), Block- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Principal Secretary, Department of Education, 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, Tirhut Division, Muzaffarpur.
6. The District Education Officer, Vaishali.
7. The District Programme Officer(Establishment), Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Respondent/s : Mr. Madhaw Prasad Yadav -Gp23

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 10-05-2018 Heard the learned counsel for the petitioners and the
learned counsel appearing for the State.

Learned counsel appearing for the petitioners submits
that the issue with regard to grant of senior scale with effect
from 2006 after completion of 12 years and 24 years was



considered by a coordinate Bench of this Court in C.W.J.C. No. 6139 of 2007 vide order, dated 31.03.2011. The decision of the writ Court was affirmed by the letters patent appeal Court in L.P.A. No. 756 of 2011 vide order, dated 01.11.2017.

In view of the above the present writ application is disposed off with a direction to the respondents to examine the case of the petitioners in the light of the decision in C.W.J.C. No. 6139 of 2007, dated 31.03.2011, as affirmed by the letters patent appeal Court in L.P.A. No. 756 of 2011. dated 01.11.2017.

Final decision, in this regard, must be taken by respondent no. 7, the District Programme Officer (Establishment), Vaishali at Hajipur, within a maximum period of sixty days, from the date of receipt/production of this order.

It is needless to say that the consequential monetary benefit must be paid within the same period.

(Anil Kumar Upadhyay, J)

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