

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14693 of 2014

Mahesh Yadav son of Late Kaller Yadav resident of Mohalla : Barbighi
Nayachak, P.O. : Mirjanhat, P.S. : Mojahidpur, District : Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director of Secondary Education, Bihar, Patna Vikas Bhawan, Patna - 1.
3. The Regional Deputy Director of Education, Bhagalpur Division, at Bhagalpur.
4. The District Education Officer (D.E.O.) at District Education Officer, Court Premises Bhagalpur, P.S. : Adampur, District : Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shivanand Prasad Sinha
For the Respondent/s : Mr. Aag5- P.K. Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-10-2018

This case was earlier listed for admission on different dates but no one appeared on behalf of the petitioner.

As a matter of last indulgence to the counsel for the petitioner, today this case has been listed under the heading for “Dismissal” but even today no one appears on behalf of the petitioner to assist the Court.

Petitioner has filed the present writ application for a direction to the respondents to grant the benefit of selection grade scale in terms of resolution No. 6022 F(2) dated 18.12.1989.

From the pleadings, it appears that petitioner was granted the benefit of selection grade on completion of 12 years of service in 1992. He claims that petitioner is entitled to the benefit of selection grade on completion of 24 years with effect



from 01.07.2005 but the same has not been granted to the petitioner.

The petitioner has superannuated on 31.5.2010 without getting the benefit of senior selection grade.

Considering the fact that the issue with regard to the benefit available to the teachers under resolution no. 6022F(2) dated 18.12.1989 has been considered by a coordinate Bench of this Court in the case of Shiv Nath Jha wherein it has been held out that teachers are entitled to such benefit.

Considering the above, the writ petition is disposed of with direction to the respondents to examine the claim of the petitioner and if the petitioner is found entitled in terms of resolution no. 6022F(2) dated 18.12.1989, the same benefit in the light of decision of this Court in Shiv Nath Jha case may be extended to the petitioner within a period of four months from the date of receipt/production of a copy of this order considering the fact that petitioner has superannuated on 31.5.2010 with all consequential benefits.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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