

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6700 of 2016

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Kaushalendra Kumar Srivastava Son o Late Surendra Prasad Srivastava
Resident of Village - Goharua, P.S. - Guthni, District - Siwan, Presently
posted as Assistant Teacher in Arjun Singh Middle School Bishnupura,
Chapra, Sadar, Saran. 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, Saran at Chapra.
 6. The District Education Officer, Saran at Chapra.
 7. The District Programme Officer (Establishment), Saran at Chapra.
 8. The Treasury Officer, Chapra. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate
For the Respondent/s : Mr. Narendra Kumar, AC to GP-20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-04-2018 Heard learned counsel for the petitioner and the State.

This writ petition was filed on 12.4.2016 after service of two advance copies of the writ petition in the office of the Advocate General but even after approximately two years neither the grievance of the petitioner has been redressed nor counter affidavit has been filed.

In the year 2011 the State Government took a litigation policy to extend similar treatment to similarly circumstanced other employees but unfortunately the same is not being followed. In reality officials of the State are acting contrary to the litigation policy. From annexure-9 it appears that this Court has taken note of the fact that two Division Benches have earlier



decided such dispute and considering the same direction was issued vide order dated 3.2.2015 in CWJC no. 1962/2014 Annexure-9 to consider the case of the petitioner within a period of three months from the date of receipt/production of a copy of that order. It appears that it has become fashion that all similarly circumstances are not treated similarly and the litigants have to approach this Court so that the respondents may consider the case.

In the aforesaid circumstances, the court is constrained to direct the respondents not only to consider the case of the petitioner but to consider granting similar benefits to similarly circumstanced other teachers. If the Court notices in future that teachers are compelled to approach this Court, the Court may consider desirability of fixing accountability of the officers who are compelling the teachers for the same. The decision in this regard must be taken within a period of sixty days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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