

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14725 of 2016

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1. Md. Zunnu Rain, son of Late Zahidurrahman, resident of Village- Sehangaoon (Bahikol), P.O.- Dhanpatganj, P.S.- Kochadhaman, District- Kishanganj, at present posted as Primary Teacher at Primary School, Tangi (Kochadhaman), Kishanganj.
 2. Sabih Sarwar, son of Late Zahidurrahman, resident of Village- Tena, P.O.+P.S.- Kochadhaman, District- Kishanganj, at present posted as Primary Teacher at Upgraded Middle School, Danti (Kochadhaman), P.S.- Kochadhaman, District- Kishanganj.
 3. Md. Imran, son of Late Md. Hafiz Alam, resident of Village- Titiha, P.O.- Haldikhora, P.S.- Kochadhaman, District- Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Bhag Punas (Kochadhaman), P.S.- Kochadhaman, District- Kishanganj.
 4. Saroj Kumar Sharma, son of Late Sanatan Prasad Sharma, resident of Village- Pharabari, P.O.- Lahiri, P.S.- Teragach, District- Kishanganj, at present posted as Assistant Teacher at Upgraded Middle School, Maheshbathan (Kishanganj) Kishanganj.
 5. Md. Munazirul Hussain, son of Late Md. Alam, resident of Village- Peshiatoli, P.O.- Meharaganj, P.S.- Bahadurganj, District- Kishanganj, at present posted as Primary Teacher at Upgraded Middle School, Lohiakandar (Bahadurganj), District- Kishanganj.
 6. Indradeo Kumar, son of Late Udit Lal Singh, resident of Village- Birnea, P.O.- Sameshwar, P.S.- Bahadurganj, District- Kishanganj. At present posted as Primary Teacher at Upgraded Middle School, Khangara (Dighal Bank), District- Kishanganj.
 7. Satyapal Prabhakar, son of Late Lal Bahadur, resident of Village- Teachers Colony, Bahadurganj, P.O.+P.S.- Bahadurganj, District- Kishanganj, at present posted as Primary Teacher at Upgraded Middle School, Kanyaveni (Bahadurganj), District- Kishanganj.
 8. Md. Nawed Alam, son of Late Md. Ashfaq Alam, resident of Village- Dharhat, P.O.- Singhari Hat, P.S.- Bahadurganj, District- Kishanganj, at present posted as Primary Teacher at Primary School, Pahatgaon (Bahadurganj), P.S.- Bahadurganj, District- Kishanganj.
 9. Prabhat Kumar Ranjan, son of Late Amrit Prasad Singh, resident of Village- Rahmanganj, P.O.+P.S.- Bahadurganj, District- Kishanganj. at present posted as Primary Teacher at Primary School, at Upgraded Middle School, Siktihar (Bahadurganj), District- Kishanganj.
 10. Angustari Begam, daughter of Late Md. Arif, resident of Village + P.O.- Sondha, P.S.- Kochadhaman, District- Kishanganj, at present posted as Primary Teacher at Middle School, Sondha (Kochadhaman), District- Kishanganj.
 11. Jeetmal Kumar Baitha, son of Late Teli Lal Baitha, resident of Village- Rupnihat, P.S.- Bahadurganj, District- Kishanganj, at present posted as Primary Teacher at Primary School, Kamat Tola, Durgapur (Bahadurganj), District- Kishanganj.
 12. Rishikesh Sinha, son of Late Nagendra Narayan Sinha, resident of Village- Baisa, P.O.- Bishanpur, P.S.- Bahadurganj, District- Kishanganj, at present posted as Primary Teacher at Primary School, Pahatgaon (Bahadurganj), District- Kishanganj.
 13. Mahboob Elahi, son of Late Md. Noor Elahi, resident of Village- Artiatola,



- Kashibari, P.O.+P.S.- Tokihat, District- Araria, at present posted as Primary Teacher at Upgraded Middle School, Sapita Bishanpur (Kochadhaman), District- Kishanganj.
14. Zafar Alam, son of Late Md. Suleman, resident of Village- Istambrar, P.O.- Bara Istambrar, P.S.- Jokihat, District- Araria, at present posted as Primary School, Chainpur (Kochadhaman), District- Kishanganj.
 15. Md. Shaharwardi @ Md. Shahwardi, son of Late Nuruzzama, resident of Village- Kathalbari Chainpur, P.O.- Nishindra (Kochadhaman), P.S.- Kochadhaman, District- Kishanganj, at present posted as Primary Teacher at Primary School, Chainpur (Kochadhaman), District- Kishanganj.
 16. Kishore Kumar Singh, son of Late Mewa Lal Singh, resident of Village- Gopalpur, P.O.- Natuapara, P.S.- Bahadurganj, District- Kishanganj, at present posted as Primary Teacher at Primary School, Saanda (Bahadurganj) District- Kishanganj.
 17. Md. Margood, son of Late Md. Raisuddin @ Late Md. Rais, resident of Village- Jawey, P.O.- Jawey, P.S.- Bhawanipur, District- Purnea, at present posted as Primary Teacher at Middle School, Bhurkunda (Bhawanipur), District- Purnea.
 18. Ashraf Matin son of Late Abdul Matin resident of Village- Kusha, P.O.- Mazgaman, P.S.- Kasba, District- Purnea. at present posted as Primary Teacher at Middle School, Dubaili (Kasba), District- Purnea.
 19. Dinesh Kumar Singh @ Dinesh Kumar, son of Late Bhagwat Prasad Sharma, resident of Village- Katiaya, P.O.- Barhari, P.S.- Bhawanipur, District- Purnea, at present posted as Primary Teacher at Primary School, Bela Prasadi (Rupauli), District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Primary Secretary, Education Department, New Secretariat, Bihar, Patna.
3. The Secretary, Education Department, New Secretariat, Bihar, Patna.
4. The Special Secretary, Education Department, Bihar, Patna.
5. The Director, Primary Education, Education Department, Bihar, Patna.
6. The Regional Deputy Director of Education, Purnea Commissioner, Purnea.
7. The District Education Officer, Kishanganj.
8. The District Education Officer, Purnea.
9. The District Programme Officer (Establishment), Kishanganj.
10. The District Programme Officer, Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abdul Wadood, Advocate
Mr. Braj Kishore Singh, Advocate
For the Respondent/s : Mr. Hari Mohan Mishra, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 30-03-2018

Heard learned counsel for the petitioners and State.

Learned counsel for the petitioners submits that the



grievance of the petitioners is that there is discriminatory treatment by the respondents for grant of Matric Trained Scale to them. Referring to Annexure-26 series, he submits that similarly circumstanced others have been granted the benefit of Matric Trained Scale, but in case of petitioners different yardstick has been taken.

Under the aforesaid circumstances, the writ application is disposed of with a direction to the respondents to consider the case of the petitioner and similar treatment may be extended to the petitioners, as extended to others vide Annexure-26 series. Final decision in this regard must be taken by the respondents within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.04.2018
Transmission Date	

