

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.268 of 2015

In

Civil Writ Jurisdiction Case No. 10056 of 2009

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Sanjay Kumar Gupta son of Late Bajrangi Prasad, Resident of Mohalla Chhotki Sarimpur, Post Churamanpur, Police Station Buxar Town, Distirct Buxar

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri R.K. Mahajan, the Principal Secretary, Department of Education, Government of Bihar, Patna.
3. Sri Manish Kumar, the Director, Primary Education, Department of Education, Government of Bihar, Patna
4. Sri Raman Kr Raman, the Chairman District Compassionate Appointment Committee cum District Magistrate, Buxar
5. Sri Schitanand Prasad the District Education Officer, Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Respondent/s : Mr. Rajesh Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

9 09-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

It appears that now the issue has been resolved by the Apex Court in the case of Mukesh Kumar & Anr. Vs. State of Bihar & Anr. The aggrieved teachers have been given the liberty to approach the State Government for suitable relief. Paragraph -4 of the order passed in Civil Appeal No. 4776 of 2017 and its analogous case vide order dated 03.04.2017 is quoted hereunder.

“For the forgoing reasons, we direct that



the Appellant who were recommended for appointment to Class – III or Class – IV posts prior to 01.07.2006 will either be appointed on Class – III or Class – IV posts on regular basis or will be entitled for continuance as Teachers on a regular pay scale. The other Appellants who were appointed after 01.07.2006 will not be entitled for the relief of regular pay scales. However, we grant them liberty to approach the State Government for suitable relief in terms of the order passed in SLP (C) No. 29655 of 2010.

Under these circumstances same benefit is available to the petitioner. The contempt application, thus, stands disposed of.

(Anjana Mishra, J)

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