

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23626 of 2013

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Niranjan Yadav S/O Late Nadni Prasad Yadav Resident Of Village- Falaut (EAST), Adarsh Sankul Madhya Vidiyalaya, Fulaut (EAST), Block- Choosa, District- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Education Department Government Of Bihar, Patna.
2. The District Magistrate, Madhepura.
3. The District Education Officer, Madhepura.
4. The District Programme Officer, Madhepura.
5. The Block Education Extension Officer, Choosa, Madhepura
6. The Staff Selection Commission, (Chairman), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sandeep Patil, Advocate
For the Respondent/s	:	Mr. Manoj Kumar, AC to GP-4
For BSSB	:	Mr. S.S. Sundran, Advocate
		Mr. Shashank Shekhar Jha, Advocaee

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ application is non-consideration of the case of the petitioner for grant of graduate trained scale.

Learned counsel for the petitioner submits that the petitioner was appointed as Assistant in the year 2007. He has obtained teacher training in the year 1994.

He submits that petitioner is eligible for grant of graduate trained scale in view of the judgment in the case of **Yaswant Singh & Ors. Vs. State of Bihar & Ors in Special**



Leave Petition (Civil) No. 26824 of 2012 dated 18.7.2013(Annexure-3).

In view of the above, the respondents are directed to take final decision on the claim of the petitioner for grant of graduate trained scale in accordance with 1993 promotion rules and in the light of the judgment of the Apex Court in the case of Yaswant Singh (Supra) as well as judgment of the Full Bench in the case of **Ram Nath Prasad Singh 2009(3) PLJR 384**

Necessary decision for grant of graduate pay scale of the petitioner may be taken by the respondents, if not already taken within a maximum period of four months from the date of receipt/production of a copy of this order.

It goes without saying that respondents are required to ensure grant of consequential benefits as to the entitlement of the petitioner for grant of graduate trained scale within a further period of two months from the date of such decision.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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