

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11008 of 2014

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1. Nirendra Kumar, S/o Chandu Paswan, R/o Village Basiawan, P.O. Kalyanpur, P.S. Pipra, District-Patna, presently posted in Middle School, Punpun, Patna.
 2. Krishna Nandan Prasad, S/o Late Bideshi Paswan, R/o Village-Beri, P.O. Karanja, Bikram, District-Patna, presently posted in Primary School Karanja, Naubatpur, Patna.
 3. Prakash Kumar, S/o Late Krishnandan Sharma, R/o Village-Bari Tengraila, P.S. Naubatpur, District Patna, presently posted in Baliga Middle School, Khagaul, Patna.
 4. Navin Kumar, S/o Late Ravindra Kumar, R/o Village-Ranipur, P.S. Phulwarisarif, District Patna, presently posted in Primary School Goregawan Musahari, P.S. Danapur, Patna.
 5. Chitra Sharma, D/o Late Baliram Sharma, R/o Mohalla Gandhi Ashram, P.S. Khagaul, Patna, presently posted in Kasturba Gandhi Middle School, Khagaul, Patna.
 6. Alok Kumar Lav, S/o Late Chandeshwar Prasad Sinha, R/o Village Narauli Noniachak, P.O. Sigauri, Paliganj, Patna, presently posted in Railway Balak Middle School, Neura Colony, Khagaul, Patna.
 7. Jitendra Kumar, S/o Sri Baldeo Thakur, R/o Village & P.O. Bara, P.S. Bhagwanganj, Patna, presently posted in Upgraded Middle School, Alawalpur, Punpun, Patna.
 8. Rewati Raman Pandey, S/o Late Rama Raman Pandey, R/o Village & P.O. More, P.S. Mokama, Patna, presently posted in Primary School More (West), Mokama, Patna.
 9. Barkattullah Siddiqui, S/o Late Nesar Ahmad Siddique, R/o Village & P.O. Khodaibagh, P.S. Khaira, District Saran, Presently posted in Primary School, Bangara, Garkha, Saran.

.... Petitioners

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 District Education Officer, Patna.
6. The District Programme Officer (Establishment), Patna.
7. The District Education Officer, Gaya.
8. The District Programme Officer (Establishment), Gaya.
9. The District Education Officer, Saran at Chapra.
10. The District Programme Officer (Establishment), Saran at Chapra.

.... Respondents

Appearance :

For the Petitioners : Mr. Amarendra Kumar, Advocate.



For the Respondents : Mr. Manish Kumar, G.P. 8.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 09-08-2018 Heard learned counsel for the petitioners and learned
counsel for the respondents.

The following reliefs have been sought for by the
petitioners in the present writ application.

“1. (i) For quashing the order contained in
Memo No. 170 & 169 dated
14.02.2013(Annexure-9 series) issued by
the respondent-Director whereby and
whereunder he had rejected the claim of
the petitioner nos. 1 & 2 respectively with
regard to the grant of Matric Trained
Scale without proper appreciation of the
fact.

(ii) For commanding the respondents to
grant Matric Trained Scale of pay to the
petitioners w.e.f. the date of their initial
appointment in the light of the order
dated 08.03.2013 passed by the Hon’ble
Apex Court in S.L.P. (Civil) No. 5520-22
of 2013 (Annexure-10 series).

(iii) For commanding the respondents to
grant all the consequential benefits”

It has been submitted by learned counsel for the
petitioners that the case of the petitioners is squarely covered by
the order passed by another co-ordinate Bench of this Court in
C.W.J.C. No. 13734 of 2012 dated 31.07.2018.

The respondent no. 5 the District Education Officer,
Patna, respondent no. 7 the District Education Officer, Gaya and



respondent no. 9 the District Education Officer, Saran at Chapra are directed to examine the case of the petitioners in light of the order passed in C.W.J.C. No. 13734 of 2012 dated 31.07.2018 and pass an appropriate order in accordance with law within a period of three months from the date of receipt/production of copy of this order.

With the aforesaid observations and directions, the present writ application stands disposed of.

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(Sudhir Singh, J)

