

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9038 of 2018

1. Dilip Kumar Bhagat, Son of Baiju Lal Bhagat, resident of Village – Alawalpur, Post – Sarai, Police Station – Sarai, District – Vaishali, presently posted as Assistant Teacher Upgraded Middle School, Hidayatpur, Kathara, Block – Chehra Kala, District – Vaishali.
2. Shashi Raj, Son of Late Rajeshwar Prasad Singh, resident of village – Maudah Dih, Post – Maudah, Police Station – Ppatepur, District – Vaishali, presently posted as Assistant Teacher, Upgraded Middle School, Sumeganj, Block – Chehra Jakam District – Vaishali.
3. Manoj Kumar Son of Sri Jagdish Paswan, resident of Village + Post – Mandai Dih, Police Station – Patepur, District – Vaishali, presently posted as Assustant Teacher Primary School, Barbari Dova, Block – Goraul, District- Vaishali.
4. Ashok Kumar, Son of Late Bindeshwar Prasad Singh resident of Village – Mahu Singh Rai, Post + Police Station – Mahua, District – Vaishali, presently posted as Assistant Teacher, Upgraded Middle School, Rashalpur Samsuddin, Block – Goraul, District – Vaishali.
5. Md. Seshjul Haque Faizi, Son of Late Abdul Hamid, resident of Village – Hidayatpur, Post + Police Station – Mahua, District – Vaishali, presently posted as Assistant Teacher, Upgraded Middle School, Mustafapur Urdu, Block – Chehra Kala, District – Vaishali.
6. Saviha Ajiji, Wife of Md. Abrar Ajiji, resident of Village – Sarai Aphjal, Post Bishanpur Arda, Police Station – Goraul, district – Vaishali, presently posted as Assistant Teacher, Upgraded Middle School, Sarai Afjal Urdu, Block Chehra Kala, District – Vaishali.
7. Deepak Prasad, Son of Sri Bindeshwari Prasad, resident of Village – Jawaj, Post- Narayanpur Derhpura, Police Station Mahnar, District – Vaishali, presently posted as Assistant Teacher, Upgraded Middle School, Mathnamal, Block – Chehra Kala, District – Vaishali.
8. Devendra Prasad Sharma, Son of Late Kuldip Sharma, resident of Village – Belsar, Post Office – Anirudh Belsar, Police Station – Belsar O.P., , District – Vaishali, presently posted as Assistant Teacher, Upgraded Middle School, Guthimiya (Pachchimi Tola), Block – Lalganj, District – Vaishali.
9. Praveen Kumar, Son of Late Shukdev Baitha, resident of Village – Barhatiya, Post – Majhauri, Police Station – Vaishali, District – Vaishali, presently posted as Assistant Teacher, Upgraded Middle School, Prataptand, (Kanya), Block – Bhagwanpur, District – Vaishali.
10. Manoj Kumar, Son of Jagnnath Prasad, resident of Village + Post Prataptand, Police Station Bhagwanpur, District- Vaishali, presently posted as Assitant Teacher, Primary School – Prataptand (अनु० जाति०) Block – Bhagwanpur, District- Vaishali.
11. Sanjay Kumar, Son of Sri Chadeshwar Narayan Singh, resident of Village Lautan, Post – Gurmiya, Police Station – Kartahan, District – Vaishali, presently posted as Assistant Teacher, Upgraded Middle School, Murliyachak, Block – Hajipur, District Vaishali.
12. Arshad Raza, Son of Late Gulam Mustafa, resident of Mohalla – Chaksale, Post – Lalganj, Police Station- Lalganj, District- Vaishali presently posted as Assistant Teacher Primary School, Agarpur (Urdu), Lalganj, District – Vaishali.



13. Md. Alaudin, Son of Late Mohammad Yasin @Mohammad Yasin resident of Vilalge – Pojhiya, Post + Police Station – Lalganj, District – Vaishali, presently posted as Assistant Teacher, Primary School, Ataullahpur (Urdu) Block – Lalganj, District – Vaishali.
14. Kamal Ahmad, Son of Late Wasiruddin, resident of Village – Kamman Chapra, Post – Vaishali, Police Station – Lalganj, District – Vaisali, presently posted as Assistant Teacher, Middle School, Ataullahpur (Urdu), Block – Lalaganj, District – Vaishali.
15. Md. Tauhid Ahmad Ansari, Son of Sri Mohammad Taiyab Ansari, resident of Village – Chak Phool, Post – Panapur Dharmpur, Police Station – Bidupur, District – Vaishali, presently posted as Assistant Teacher, Primary School, Kowa Mohabbatpur, Block – Lalganj, District – Vaishali.
16. Pradeep Paswan, Son of Late Girdhari Paswan, resident of Village – Barhatiya, Post – Majhauri, Police Station – Vaishali, District – Vaishali, presently posted as Assistant Teacher, Primary School, Lakhan Sarai, Block – Lalganj, District – Vaishali.
17. Ratnesh Kumar Ratnakar, Son of Late Sachchidanand Singh, resident of Village + Post – Pratap Tand, Police Station – Bhagwanpur District – Vaishali, presently posted as Assistant Teacher, Pratap Tand (Kanya), Block Bhagwanpur, District – Vaishali.
18. Ishad Alam, son of Late Md. Nashim, resident of Village Milki, Post – Hajipur, Police Station – Town Thana Hajipur, District – Vaishali, presently working as Assistant Teacher, Primary School, Nami Dih, Block – Lalganj, District – Vaishali.
19. Md. Mustafa Alam, Son of Late Idrish Ansari, resident of Village – Mahmudwa, Post- Sarai, Police Station – Sarai, District – Vaishali, posted as Upgraded Middle School, Prabodhi Narendra, Block – Lalanj, District – Vaishali.
20. Satish Kumar, Son of Late Shukdeo Thakur, resident of Village – Kharagauliya, Post – Baluka Ram, Police Station – Vaishlai, Districh – Vaishali presently posted as Assistant Teacher, Upgraded Middle School, Khajuata, Block – Block – Vaishali, District – Vaishali.
21. Ajit Kumar Singh, Son of Late Gajendra Singh, resident of Village – Prabodhi Narendra, Post Office – Sarai, Police Station – Saria , District – Vaishali presently posted as Assistant Teacher, Upgraded Middle School, Bhatandi, Block – Hajipur, District – Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Principal Secretary, Department of Education, 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, Tirhut Division, Muzaffarpur.
6. The District Education Officer, Vaishali.
7. The District Programme Officer (Establishment), Vaishali.

... .. Respondent/s

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Appearance :



For the Petitioner/s : Mr. Binod Kumar
For the Respondent/s : Mr. Jitendra Kumar Roy No-1 -Sc13

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners have filed the present writ application for a
direction to the respondents to grant senior pay-scale on
completion of 'Kalawadhi' of 12 years.

Learned counsel for the petitioners submits that the
issue raised in the present writ application is no more res
integra. A coordinate Bench of this court had occasioned to
decide the issue in C.W.J.C. No. 6139 of 2007 vide order dated
31.3.2011. The order of the writ court was affirmed by the LPA
court in LPA No. 756 of 2015 dated 1.11.2017.

In view of the above, the present writ application is
also disposed of with direction to the respondents to examine
the case of the petitioners in the light of the decision of writ
court in C.W.J.C. No. 6139 of 2007 dated 31.3.2011 as affirmed
by the LPA Court in LPA No. 756 of 2015 dated 1.11.2017.

Final decision in this regard must be taken by the
respondents within a period of sixty days from the date of
receipt/production of a copy of this order and all consequential
benefit including the monetary benefit should be extended to the



petitioners within a further period of 30 days from the date of such decision by the respondents.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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