

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19373 of 2012

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Batesh Nath Jha S/O Late Raghunath Jha R/O Village- Bishanpur, Police Station- Kochadhaman, District- Kishanganj, At Present Assistatn Teacher In Project Kisan Girls High School-Santha, Police Station- Kochadhaman, District- Kishanganj Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Human Resources Development Department, Government Of Bihar, Patna
 2. The Director, Secondary Education Human Resources Development Department, Govt. Of Bihar, Patna
 3. The Regional Deputy Director Of Education, Purnea Division, Purnea
 4. The District Education Officer, Kishanganj Respondent/s
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Appearance :

For the Petitioner/s : Mr. Ram Sagar Singh
For the Respondent/s : Mr. K.P. Gupta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 11-10-2018 Heard learned counsel for the petitioner and the

learned counsel for the State.

The grievance of the petitioner in the present writ application is non grant of recognition as trained teacher. The petitioner claimed that he is Acharya and was appointed Assistant Teacher in the subject Sanskrit. He submits that similarly circumstanced other teachers with Acharya qualification have been recognized as trained teacher and they have been made entitled to arrears of salary with effect from 1.1.1989.

Learned counsel for the petitioner with reference to resolution of the State Government dated 5.3.2018 submits that State Government took a decision to grant arrears to all those who are still working in five instalments and in one go to those who retired. He submits that petitioner has superannuated on



31.12.2017 and as such respondents are required to recognize the service of the petitioner as trained teacher and also required to work out the arrears of salary in terms of resolution dated 5.3.2018 and ensure payment of arrears to the petitioner in one go.

Considering the aforesaid, the writ petition is disposed of with direction to the respondents to strictly adhere to their own resolution dated 5.3.2018 with regard to payment of arrears of salary with effect from 1.1.1989. They are also required to follow the same yardsticks in the matter of recognition as trained teacher to the petitioner like the similarly circumstanced other teachers with Acharya qualification who were recognized as trained teacher if appointed as Assistant teacher in Sanskrit.

Necessary decision with regard to recognition of the petitioner as trained teacher and for payment of arrears in terms of resolution dated 5.3.2018 may be taken by the respondents at the earliest, preferably within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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