

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14276 of 2014**

1. Sanjiv Kumar Son of Late Kailash Jha Resident of Village - Ojha Tol, Barauni, P.S. Tehra, District - Begusarai.
2. Sunil Kumar S/o Late Suresh Paswan Resident of Village - Meenapur, P.O. - Safapur, P.S. Naya Gawn, District - Begusarai.
3. Md. Intekhab Alam S/o Late Md. Tehur Alam At - Sabilpur, Post - Marar, District - Khagaria.
4. Pradeep Kumar Das S/o Late Ram Ratan Das At + P.O. Lakhminia Bazar, P.S. Ballia, District - Begusarai.
5. Santosh Kumar S/o Late Rama Kant Kumar At - Itwa, Post - Dumari, P.S. Begusarai, District - Begusarai.
6. Santosh Kumar S/o Late Shailendar Kumar Choudhary At - Rahimpur Pachakhuti, P.S. Ratullpur Diara, District - Khagaria.
7. Awdhesh Kumar Singh S/o Late Janardan Prasad Singh At - Hemara Lalit Nagar, P.O. Mohar Aghu, P.S. Muffasa, District - Begusarai.
8. Rajesh Kumar S/o Late Ram Pravesh Das At - Lakho Manihlapur, P.O. Dhabauli, P.S. - Lakho, District - Begusarai.
9. Dhananjau Kumar S/o Late Shankar Prasad Mahto At - Bingamo, P.O. Jalalpur, P.S. Patori, District - Samastipur.

... .. Petitioner/s

## Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education Department, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education, Munger.
4. The District Education Officer, Begusarai.
5. The District Programme Officer (Establishment), Begusarai.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Rajendra Prasad Singh, Sr. Advocate.  
For the Respondent/s : Mr. Ranjan Kumar, AC to G.P.-07

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

4 05-10-2018

1. Heard learned counsel for the petitioner and counsel appearing on behalf of the State.
2. The grievance of the petitioner in the present writ petition is confined to the petitioner No.1 as during the pendency of the writ petition the grievance of the petitioners



No. 2, 4, 5, 7 and 9 have been redressed. So far as petitioners No. 3, 6 and 8 are concerned, the learned counsel for the petitioner submits that he has no instruction about the status of the grievance of the petitioners No.3, 6 and 8 and as such no positive statement with regard to the petitioners No.3, 6 and 8 can be made. Now the present writ petition is confined to the grievance of petitioner No.1.

3. Mr. Rajendra Prasad Singh, learned senior counsel for the petitioner submits that the petitioner and others were sent for in service training and they have completed their training and thereafter they appeared in the respective examination and as such in terms of the decision of the State Government which was issued in terms of the Division Bench order in LPA No. 412 of 2003 all others have been granted the benefit of trained scale but without any rational justification the petitioner No.1 has not been granted the same treatment treating him to have obtained the teachers training in first attempt.

4. Considering the aforesaid the writ petition is disposed of with direction to the respondents to strictly act in accordance with the litigation policy 2011 and consider the case of the petitioner like the similarly circumstanced other teachers who were sent for in service training like the petitioner and on



completion of training and passing the training examination in first attempt they have been granted the benefit of trained scale w.e.f. 01.10.2003. Respondents are accordingly directed to grant similar benefit to the petitioner like the others teachers including the petitioner No. 2, 4, 5, 7 and 9 of the present writ petition. Necessary decision in this regard extending the same benefits with all consequential benefits to the petitioner No.1 may be taken by the respondents within a maximum period of four months from the date of receipt/ production of a copy of this order.

5. With the aforesaid the writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

T.Kr./-

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