

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2961 of 2016

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Shashi Kant Jha son of Late Geeta Jha, resident of Village & P.O. Bihat Police Station- Barauni, District- Begusarai, retired while working as an Assistant Teacher from upgraded Middle School- Banhara, Anchal- Khodawandpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Deputy Secretary, Finance (Pay Fixation) Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The Regional Deputy Director of Education, Munger Division, Munger.
6. The District Magistrate, Begusarai.
7. The District Education Officer, Begusarai.
8. The District Programme Officer (Establishment), Begusarai.
9. The District Treasury Officer, Begusarai.
10. The District Accounts Officer, Begusarai.
11. The Drawing and Disbursing Officer of upgraded Middle School- Banhara, Anchal- Khodwandpur, District- Begusarai.
12. The Headmaster, upgraded Middle School- Banhara, Anchal- Khodawandpur, District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Sanjay Prasad, AC to AAG 4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-03-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Learned counsel for the petitioner submits that the notification contained in memo no. 1819 dated 23.11.2009, Annexure-10 under challenge in the present writ petition, was subject matter of CWJC No. 14295 of 2009 (Parmeshwar Mistri Vs. The State of Bihar & Ors.) and a co-ordinate Bench of this



Court vide order dated 3.2.2010, directed the respondents to fix the pay scale of the petitioner in the light of the earlier decision of this Court in the case of Parmeshwar Mistri Vs. State of Bihar & Ors., CWJC No. 14295 of 2009. Learned counsel submits that similar orders were passed in other cases where the same memo no. 1819 dated 23.11.2009 was quashed.

In view of the above, the present writ petition is also disposed of with a direction to the respondents to consider the case of the petitioner for pay fixation in the light of the decision of this Court in CWJC No. 14295 of 2009 and grant all consequential benefits to the petitioner within a maximum period of 4 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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