

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14892 of 2018

1. Suresh Kumar Son of Gaya Prasad Resident of Village- Saidpur Bazar, Post Office- Khizersarai, Block- Khizersarai, District- Gaya. At Present Posted and Working as a Teacher in Govt. Middle School Sonas, Anchal- Khizarsarai, District- Gaya.
2. Kausar Perwez Ansari Son of Md. Zamiruddin Resident of Mohalla- Nadraganj, Police Station- Civil Line Gaya, District- Gaya, At Present Posted and Working as a Teacher in Govt. Upgraded Middle School Niskha, Anchal- Bodhgaya, District- Gaya.
3. Sufiyan Ghani Son of Syed Rizwan Ghani Islahi Resident of Mohalla- Makhdoom Rasti Nagar, Police Stationb+Post Office- Phulwarisharif, District- Patna, At Present Posted and Working as a Teacher in Govt. Middle School Madhobigha, Anchal- Neemchak Bathani, District- Gaya.
4. Bhimsen Kumar Son of Laxmi Saw Resident of Village- Saidpur Bazar, Post Office- Khizersarai, Block- Khizersarai, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Khesari, Anchal-Neemchak Bathani, District- Gaya.
5. Ramdheer Kumar Son of Bechan Das Resident of Village- Seedh, Post Office- Seedh, Police Atri, District- Gaya, At Present posted and Working as a Teacher in Govt. Middle School Bakhtar , Anchal Khizersarai, District- Gaya.
6. Shailendra Kumar Son of Govind Prasad Resident of Village- Murgaon, Post Office- Murgaon, Police Station- Hullasganj, District- Jehanabad, At Present Posted and Working as a Teacher in Govt. Middle School Panhari, Anchal - Khizarsarai, District- Gaya.
7. Pawan Kumar Subhansu Son of Ishwarchand Singh Resident of Village- Sirpur, Post Office- Sripur, Police Station- Belaganj, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Shankerpur Anchal- Neemchak Bathani, , District- Gaya.
8. Gayatri Kumari Daughter of Bulakhand Prasad Resident of Village- sonar Toli, Manpur Police Station- Muffasil, District- Gaya, At Present Poted as a Teacher in Govt. Middle Schook Khiderpura, Anchal- Manpur, District- Gaya.
9. Girish Kumar Son of Ramyatan Paswan Resident of Village- Tulsipur, Post Office-Tulsipur, Police Station- Hullasganj, District- Jehanabad. At Present Posted and Working as a Teacher in Govt. Middle School Inayatchak Anchal- Khizarsarai, Disttrict- Gaya.
10. Neeraj Kumar Son of Kranti Kumar Singh Resident of Village- Fatehpur, Post Office- Baraini, Block- Belaganj, District- Gaya. At Present Posted and Working as a Teacher in Govt. Middle School Sondaha, Anchal- Bankey Bazar, District- Gaya.
11. Ramprawesh Prasad Son of Dukhan Mahto Resident of Village- Pokharpur, Post Office- Kewla Kala, Police Station-Dumariya, District- Gaya, At Present Posted and Working as a Teacher in



- Govt. Middle School Juri, Anchal- Bankey Bazar, District- Gaya.
12. Amrendra Kumar Son of Ramchandra Thakur Resident of Village- Manjoori Kalan, Post Office- Anjan, Block- Amas, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Bishunpur, Anchal- Bankey Bazar, District- Gaya.
 13. Rajesh Kumar Son of Kedar Prasad Resident of Village- Nagwan Bara, Post Office- Nagwan Pathra Via Raniganj, Block- Imamganj, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Balasot, Anchal - Bankey Bazar, District- Gaya.
 14. Vijay Kumar Son of late Sukhdeo Rajak Resident of Village- Chadhta Aadhat Pur, Post Office- Arkdhbriya, Police Station- Belaganj, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Jondhi, Anchal- Bankey Bazar, District- Gaya.
 15. Ajit Kumar Son of Rajendra Prasad Singh Resident of Village- Salaiya, Post Office- Manjhila, Police Station- Kauwa Kol, District- Nawada, At Present Posted and Working as a Teacher in Govt. Middle School Dumrawan, Anchal- Bankey Bazar, District- Gaya.
 16. Arun Kumar Singh Son of Janardan Singh Resident of Village- Vishwataul, Post Office- Kumhwan, District- Jehanabad, At Present Posted and Working as a Teacher in Govt. Middle School Parwati Nagar, Anchal- Khizersarai, District- Gaya.
 17. Santosh Kumar Son of Umashakar Prasad Resident of Village- Anantpur, Post Office- Deora, Police Station- Ghosi, District- Jehanabad, At Present Posted and Working as a Teacher in Govt. Middle School Dhaneta, Anchal- Bankey Bazar, District- Gaya.
 18. Ravi Kumar Son of Ramjit Singh Resident of Village + Post- Nasriganj, Police Station- Nasriganj, District- Rohtas, At Present Posted and Working as a Teacher in Govt. Middle School Barheta, Anchal- Bankey Bazar, District- Gaya.
 19. Perwez Akhtar Son of Waizul Haque Resident of Village- Bara Via Chakand, Police Station- Chandauti, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Saren, Anchal- Neemchak Bathani, District- Gaya.
 20. Shamsheer Akhtar Son of Md. Waizul Haque Resident of Village+Post- Bara Via Chakand, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Telari, Anchal- Neemchak Bathani, District- Gaya.
 21. Md. Ekram Son of Md. Bedar Resident of Village- Pachmahla, Post Office+Police Station- Belaganj, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Bandi, Anchal- Neemchak Bathani, District- Gaya.
 22. Chandra Prakash Son of Kailash Rajak Resident of Village- Sadopur, Post Office- Sadopur, Block- Telari, District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Chaugai, Anchal- -Bankey Bazar, District- Gaya.
 23. Md. Shoaib Son of Fajal Karim Resident of Village- Nadraganj, Badi Daha, District- Gaya, At Present Posted and Working as a



- Teacher in Govt. Middle School Chatihar, Anchal- Konch, District- Gaya.
24. Samrendra Kr. Bibhuti Son of Shyamnandan Prasad Resident of Village-Belkhara, Posted and Working as a Teacher in Govt. Middle School Kharaicha, Anchal- Bela Ganj, District- Gaya.
25. Ramnivas Kumar Son of Deonandan Prasad Resident of Village- Maimath, Post Office- Nauru, Police Station- Kako, District- Jehanabad, At Present Posted and Working as a Teacher in Govt. Middle School Chiraila, Anchal- Bela Ganj, District- Gaya.
26. Pramod Kumar Son of late Vinayak Ravidas Resident of Village- Sapahi, Post Office- Koshila Block- Bodh Gaya District- Gaya, At Present Posted and Working as a Teacher in Govt. Middle School Lodia, Anchal- Mohanpur, District- Gaya.
27. Mahesh Das Son of Late Baldeo Das Resident of Village- Gohal, Police Station- Jainagar, District- Kodarma(Jharkhand), At Present Posted and Working as a Teacher in Govt. Middle School Ramnachak, Anchal- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
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, District- Gaya.
6. The District Programme Officer(Establishment) District- Gaya.
7. The Sub-Inspector of School, (Block Education Officer), Gaya Town, Gaya.
8. The Block Education Officer, Belaganj, District- Gaya.
9. The Block Education Officer, Mohanpur, District Gaya
10. The Block Education Officer, Khizar Sarai, District- Gaya.
11. The Block Education Officer, Bodh Gaya, District- Gaya.
12. The Block Education Officer, Konch, District- Gaya.
13. The Block Education Officer, Neemchak Bathani, District- Gaya.
14. The Block Education Officer, Banke Bazar, District- Gaya.
15. The District Accounts Officer, District- Gaya.
16. The District Treasury Officer, District- Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Subash Chandra Mishra, SC-16

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-08-2018 Heard the parties.

In the present writ application, the following reliefs



have been sought for on behalf of the petitioners :

1(I) For issuance of an appropriate writ in the nature of mandamus for commanding directing the respondent authorities concerned to grant senior scale/time bound promotion/A.C.P. to the petitioners w.e.f. the date of their joining i.e. after completion of 12 years of service as as assistant teacher in the matric trained post in the light of the Bihar Elementary School Teacher's Promotion Rule, 1993 read with order dated 08.03.2013 passed by the Hon'ble Apex Court in S.L.P. (Civil) No.5520-22 of 2013.

(II) For issuance of an appropriate writ as an alternative prayer for commanding and directing the respondent authorities concerned to provide the same and similar benefits to the petitioners under Bihar State Litigation Policy 2011 under Rule 4(c), as per the direction of the Hon'ble High Court, Patna passed in the case of similarly situated teachers, orders dated 31.03.2011 passed in CWJC No.6139/2017 Ram Ashis Tiwary & Ors Vs. The State of Bihar & Ors and order dated 01.11.2017 passed in CWJC No.14670 of 2014 Smt. Kumari Kalpana Rani Vs. The State of Bihar & Ors.

(III) For issuance of an appropriate



writ in the nature of mandamus for commanding and directing the respondent authorities concerned to grant all consequential benefits to the petitioners from their due date of entitlement in the senior pay scale with all consequential benefits.

It has been submitted that the case of the petitioners is squarely covered by the order dated 19.07.2018 passed in C.W.J.C. No.9999 of 2018.

The respondent No.6 i.e. The District Programme Officer (Establishment), District Gaya is directed to examine the case of the petitioners in the light of the case as referred above and dispose of the case of the petitioners in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

U			
---	--	--	--

