

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10002 of 2018

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1. Ravindra Prasad Singh Son of Satyadeo Singh Resident of Village - Deoria, Police Station - Paroo, District - Muzaffarpur. Assistant Teacher, Govt. Primary School Bangra (West), Block - Paroo - 2, District - Muzaffarpur.
 2. Sayeed Ahmad Son of Late Md. Ayub Resident of Village - Mishrauliya, Police Station - Sakra, District - Muzaffarpur. Assistant Teacher, Govt. B.M.C. Urdu Maktab Islampur, Block - Sakra, District - Muzaffarpur.
 3. Ran Vijay Prasad Singh Vijeta Son of Late Chandrashekhar Prasad Singh Resident of Village - Saraiya, Police Station - Sakra, District - Muzaffarpur. Assistant Teacher, Govt. Middle School Primary School Mahamadpur Hariopat, Block - Sakra, District - Muzaffarpur.

... .. 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, Muzaffarpur.
6. The District Programme Officer (Establishment), Muzaffarpur.
7. The Block Education Officer, Paroo - 2, Muzaffarpur.
8. The Block Education Officer, Sakra, Muzaffarpur.
9. The District Accounts Officer, Muzaffarpur.
10. The District Treasury Officer, Muzaffarpur.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-07-2018

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 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 31.03.2011 passed in C.W.J.C. No.6139 of 2007 and order dated 16.08.2017 passed in L.P.A. No.756 of 2015 and order dated 01.11.2017 passed in C.W.J.C. No.14670 of 2014.

The respondent No.6 i.e. The District Programme Officer (Establishment), Muzaffarpur is directed to examine the case of the petitioners in the light of the cases 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.

If the petitioners are entitled to the reliefs sought for, the respondents will be obliged to pass an order taking into account the Clause 4.(C)(1) of the State Litigation Policy.

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

(Sudhir Singh, J)

Narendra/-

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