

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20297 of 2018

1. Santosh Kumar Son of late Bachcha Prasad Singh Resident of VillagePost Office- Koyariya Nizamat, Police Station- Paroo, District- Muzaffarpur, Presently residing at Mohalla- Alka Puri, Bhagwanpur, Police Station - Sadar, District- Muzaffarpur, At Present Posted and Working as an Assistant Teacher in Govt. Basic School Raghunathpur, Block- Paroo, District- Muzaffarpur.
2. Sunil Kumar Pandey Son of late Anandeshwar Sharma Resident of Village- Birwan, P.S.- Majhauriya, District- West Champaran, at Present Posted and Working as an Assistant Teacher in Govt. Basic School Lohiyariya, Block -Chanpatiya, District- West Champaran.
3. Kumud Ranjan Son of late Jaishree Lal Chaudhary Resident of Village- Bhaluahi, P.O. Ruphara, P.S. Shikarganj, District- East Champaran, At Present Posted and Working as an Assistant Teacher in Govt. Basic School, Ghoghapatbandi, Block- Chanpatiya, District- West Champaran.
4. Indu Mishra Wife of Daya Sindhu Mishra Resident of Village- Anjua, P.S. Shikarpur, District- West Champaran, At Present Posted and Working as an Assistant Teacher in Govt. Basic School Jokaha, Block- Chanpatiya, District- West Champaran.
5. Raju Kumar Son of late Nagina Prasad Resident of Mohalla- Kalibagh Jora Inar, Ward No. 3, P.S. Bettiah, District- West Champaran, At Present Posted and Working as an Assistant Teacher in Govt. Basic School Srinagar, Block- Chanpatiya, District- West Champaran.
6. Jaimangal Rai Son of late Ramvilas Rai Resident of Village- Baburan, Post Office- Baburban, P.S. Parihar, District- Sitamarhi, At Present Posted and Working as an Assistant Teacher in Govt. Basic School Balua Harsidhi, Block- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
6. The District Education Officer, Muzaffarpur.
7. The District Education Officer, East Champaran at Motihari.
8. The District Education Officer, West Champaran at Bettiah.
9. The District Programme Officer Establishment Muzaffarpur.
10. The District Programme Officer Establishment East Champaran at Motihari.
11. The District Programme Officer Establishment West Champaran at Bettiah.
12. The District Accounts officer, Muzaffarpur.



13. The District Treasury Officer, Muzaffarpur.
14. The District Accounts Officer, East Champaran at Motihari.
15. The District Treasury Officer, East Champaran at Motihari.
16. The District Accounts Officer, West Champaran at Bettiah.
17. The District Treasury Officer, West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra
For the Respondent/s : Mr.Smt.Shilpa Singh -Ga12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-03-2019 The learned counsel for the parties are in agreement that the present case is squarely covered by a judgment dated 11.04.2018 passed by a coordinate Bench of this Court in CWJC No. 7322 of 2017 (*Abdus Samad vs. The State of Bihar & Ors.*), hence the present writ petition can also be disposed off in light of the said judgment dated 11.04.2018. Accordingly, the writ petition is disposed off with a direction to the respondent no. 5 to consider the case of the petitioner for grant of matric trained scale upon completion of three years from the date of joining of the petitioner as he cannot be faulted in the matter of him being not sent for service training and pass necessary orders.

Necessary decision is required to be taken by the respondent no. 5 within a period of 12 weeks from receipt / production of a copy of this order and in case, the case of the



petitioners is found to be similar to the case of *Abdus Samad* (supra), similar benefits, as also the consequential benefits would be extended to the petitioners herein within a further period of four weeks.

(Mohit Kumar Shah, J)

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