

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2885 of 2019

1. Ghanshyam Prasad and ors Late Narayan Prasad resident of Piprahi Ward No. 08 P.S. Raghapur District- Supaul, Posted at Girls P.S. Radhanagar Block- Raghapur, District- Supaul.
2. Bikash Kumar Jaiswal Palat Choudhary Resident of Village- Daulatpur, P.S.- Raghapur, District- Supaul posted at U.M.S. Daulatpur Bishanpur, Raghapur, Supaul.
3. Ram Kumar Yadav, Late Devki Nandan Yadav Resident of Narha, P.S.- Raghapur, District- Supaul posted at M.S. Dudhadhari Raghapur, Supaul.
4. Dinesh Kumar Male Ari Yogi Ram Resident of Pipra Bazar, P.S.- Pipra Bazar, District- Supaul posted at U.M.S. Sukhasani Pipra, District- Supaul.
5. Kamaluddin Late Walli Mohammad Resident of Dharampatti, P.S.- Raghapur, District- Supaul posted at U.M.S. Dharampatti, P.S.- Raghapur, District- Supaul .
6. Deo Narayan Mandal Late Tilleshwar Mandal Resident of Babhni, P.S.- Gamharia, District- Madhepura posted at P.S. Jitan Tola Basha, Pipra, District- Supaul.
7. Amar Kant Choudhary Late Ram Deo Choudhary Resident of Babhni, P.S.- Gamharia, District- Madhepura Posted at U.M.S. Sukhasani Pipra, District- Supaul.
8. Ashok Kumar Ram Narayan Pandit Resident of Babhni P.S.- Gamharia, District- Madhepura Posted at M.S. Gamharia Block Gamharia, District- Madhepura.
9. Om Kumar Verma Late Chaitanya Kumar Verma, Resident of Village- Jagatpur, P.S.- Supaul, District- Supaul posted at M.S. Sonak Block Supaul, District- Supaul.
10. Niranjana Kumar Verma, Late Shyam Sundar Lal Das Resident of Gamharia, P.S. Gamharia District- Madhepura Posted as U.M.S. Mahichanda Nirmali Pipra, Dist.- Supaul.
11. Yogendra Mandal Sri Nanda Lal Mandal Resident of Koshalipatti, Via- Gamharia Bazar, P.S.- Pipra, Dist.- supaul posted as Asstt. Teacher at M.S. Ramnagar, Pipra, Dist.- Supaul.
12. Shambhu Sah Rampal Sah Resident of Koshalipatti, P.S.- Pipra, Dist.- Supaul, posted at M.S. Tulapatti, Pipra, District- Supaul.
13. Chaitanya Kumar Ram Lakhan Singh Resident of Babhni, P.S. Gamharia, District- Madhepura Posted at M.S. Ramnagar, Pipra, Dist.- Supaul.
14. Bablu Kumar Late Ram Deo Prasad Mandal Resident of Ramnagar, P.S - Pipra, District- Supaul posted at M.S. Ramnagar, Pipra, District- Supaul.
15. Prabhakar Singh Kartik Prasad Singh resident of Hatwariya, P.S.- Hatwariya, District- Supaul Posted as U.M.S. Lalpatti, Pipra, District- Supaul.
16. Shiv Shamkar Paswan Ram Deo Paswan Resident of At- Bishanpur, P.S. Pipra, District- Supaul posted at U.M.S. Piprahi, Block Pipra, District- Supaul.
17. Upendra Paswan Late Bilal Paswan Resident of Beloutkhada, P.S.- Pipra, District- Supaul posted at M.S. Litiyai- Pipra, District- Supaul.
18. Niranjana Kumar Late Narayan Lal Das, Resident of Berdah, P.S.- Raghapur, District- Supaul posted at M.S. Raghapur, Dist.- Supaul.
19. Pramod Kumar Ramchandra Mandal, Resident of Kataiya Rahi, P.S. Pipra, District- Supaul posted at M.S. Ratauli- Jaroli, Pipra, District- Supaul.



20. Mahavir Mandal Sri Durga Prasad Mandal, Resident of Lalmanya, P.S.- Pipra, District- Supaul Posted at M.S. Jarouli, Pipra, District- Supaul.
21. Subash Chandra Bose Baidyanath Yadav, Resident of Gelihya, P.S.- Pipra, District- Supaul, Posted at U.M.S.Rajpur, Pipra, District- Supaul.
22. Mohan Ram Krishna Mochi Resident of Village- Manpur, P.S.- Gamharia, District- Madhepura posted at U.M.S. Jhitkiyani Block Pipra, District- Supaul.
23. Abdul Baqui Late Abdul Bari Resident of Madhura, P.S.- Kishanpur, District- Supaul posted at Urdu M.S. Madhura, Kidhupur, District- Supaul.
24. Ram Chandra Prasad Yadav Shiv Prasad Yadav Resident of Bishanpur P.S.- Pipra, District- Supaul Posted at M.S. Bishanpur Block Pipra, District- Supaul.
25. Kumar Gaurav Satyendra Kumar, Resident of Temabhela, P.S.- Gwalpara, District- Madhepura posted at U.M.S. Mahrajanj, District- Madhepura.
26. Suil Kumar Harihar Prasad Mandal Resident of Bhelawa, P.S. District- Madhepura posted at Upgraded Girls, M.S. Mainirahi Block Madhepura, District- Madhepura.
27. Mamta Kumari Kalanand Mandal Resident of Village Bhadaul, P.S. Madhepura, District- Madhepura, posted at U.M.S. Mainirahi Block Madhepura, District- Madhepura
28. Sunil Kumar Sri Surendra Kumar, Resident of Jagbani, P.S.- Gamharia, District- Madhepura, posted at Upgraded M.S. Bhawanipur, Block Kumarkhand, District- Madhepura.
29. Mukesh Kumar Yadav Lata Ganga Prasad Yadav Resident of Bhajanpatti, P.S.- Sour Bazar, District- Saharsa posted at U.M.S. Ganesh Asthan, Sahugarh, District- Madhepura.
30. Binod Kumar Yadav Late Ganga Prasad Yadav, Resident of Bhajanpatti, P.S.- Sour Bazar District- Saharsa posted at U.M.S. Maheshpur Tola, District- Madhepura.
31. Shushil Kumar Kapil Rajak Resident of Village- Ratanpura, P.S. Ghailrah District- Madhepura posted at M.S. Narha Muraliganj, District- Madhepura.
32. Kumar Gaurav Satyendra Kumar Village- Tenabhela, P.S.- Bihariganj, District- Madhepura. Posted at U.M.S. Mahrajanj, Gwalpara, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education Government of Bihar, Patna.
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 Regional Deputy Director of Education, Saharsa.
6. The District Education Officer, Madhepura.
7. The District Education Officer, Supaul.
8. The District Program Officer (Establishment), Supaul.
9. The District Program Officer (Establishment) Madhepura.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr.Arabind Nath Pandey
For the Respondent/s : Mr.Prabhaker Jha (Gp 27)

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT**

Date : 18-02-2019

1. At the outset, the learned counsel for the petitioners seeks to make some corrections as far as petitioners no. 25 and 27 are concerned. Let the same be done during the course of the day.

2. Heard the learned counsel for the petitioners and the learned counsel appearing for the State.

3. The present writ petition is filed for issuing a direction upon the respondents to grant senior pay-scale on completion of a period of 12 years.

4. The learned counsel for the petitioners submits that the issue raised in the present writ petition is no more *res integra*. A coordinate Bench of this Court had already decided the issue vide order *dated 31.03.2011* passed in *C.W.J.C. no. 6139 of 2007 (Ram Ashis Tiwary and others v. The State of Bihar and others)* and the order of the Writ Court was affirmed in *L.P.A. no. 756 of 2015 dated 16.08.2017*.

5. In above view of the matter, the present writ petition is disposed of with a direction to the respondents to examine the case of the petitioners in light of the decision of the



Writ Court in *C.W.J.C. no. 6139 of 2007 dated 31.03.2011* as affirmed in *L.P.A. no. 756 of 2015 dated 16.08.2017* and the final decision in this regard must be taken by the respondents within a period of two months from the date of receipt/production of a copy of this order and all consequential benefits including the monetary benefit should be extended to the petitioners within a period of one month thereafter, in case the case of the petitioners are found to be covered by the aforesaid judgments.

6. The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.02.2019
Transmission Date	NA

