

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3203 of 2019

1. Jitendra Kumar Choudhary, age about 46 years, Gender-Male S/o Late Bishwanath Choudhary Resident of Village-Telghi,P.O.-Telghee,P.S.-Kharik Bazar,Dist.-Bhagalpur.Presently posted as Assistant Teacher in M.S. Marwa,Bihpur,P.S.-Bihpur,dist.-Bhagalpur
2. Rajeev Nayan, age about 38 years, Gender-Male Son of Nawal Kishore Ray Resident of Village-Jhandapur,P.S.-Bihpur,Dist.-Bhagalpur.Presently posted as Assistant Teacher in M.S. Chaudhary Tola,Jhandapur P.S.-Bihpur,dist.-Bhagalpur
3. Pankaj Kumar, Age about 35 years, Gender Male, S/o Late Tulo Pandit Resident of Village-Sonbarsa,P.S.Bihpur,Dist.-Bhagalpur.Presently posted as Assistant Teacher M.S. Khairpur,Kharik,P.S. Kharik,Dist.-Bhagalpur
4. Nand Kishor Sharma Age about 56 years, Gender Male, S/o Late Hari nandan Mistry Resident of Village-Marwa,P.S.-Bihpur Dist.-Bhagalpur.Presently posted as Assistant Teacher in M.S. Makandpur,P.S. Gopalpur,Dist.-Bhagalpur
5. Arun Kumar Singh, Age about 47 years, Gender- Male, S/o Late Mrityunjay Prasad Singh Resident of Village-Telghi,,P.S.-Kharik Dist.-Bhagalpur.Presently posted as Assistant Teacher in M.S. Khairk Bazar,P.S. Kharik,Dist.-Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary,Govt. of Bihar,Patna
2. The Principal Secretary, Education Department,Govt. of Bihar,Patna
3. The Secretary, Education Department,Govt. of Bihar,Patna
4. The Director, Primary Education Department,Govt. of Bihar,Patna
5. The Regional Deputy Director of Education,Bhagalpur
6. The District Education Officer, Bhagalpur
7. The District Programme Officer(Establishment),Bhagalpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan
For the Respondent/s : Mr.Kameshwar Kumar (Gp17)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-02-2019 The learned counsel for the petitioners submits that

though similarly situated persons have already been granted the

benefits of Graduate Trained Scale since 17.10.2016, however,

the petitioners have been left out, hence, a mandamus be issued

to the respondents to grant similar benefits to the petitioners



herein.

Per contra, the learned counsel for the respondents submits that the respondent no.6 shall examine the case of the petitioner and in case it is found that they have been discriminated, similar reliefs shall be granted to the petitioners herein in the form of Graduate Trained Scale.

Having regard to the facts and circumstances of the case, the present writ petition is disposed of with liberty to the petitioners to approach the respondent no.6 within a period of four weeks from today by filing a detailed representation showing that similarly situated persons have already been granted the benefits of Graduate Trained Scale and thereafter the respondent no.6 shall consider the same within a period of six weeks and in case it is found that the petitioners are entitled for Graduate Trained Scale, appropriate benefits shall be given to the petitioners herein within a period of eight weeks thereafter.

(Mohit Kumar Shah, J)

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