

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3373 of 2019

1. Prem Narayan S/o Yogendra Narayan Saha alias Yogendra Saha Vill.- Chandpura Kala, P.S.-Goraul, Distt.-Vaishali. At present posted and working as an Assistant Teacher in Govt. Middle School, Anchal- Paraiya, Distt.- Gaya
2. Md. Abdul Quadir Jilane Son of Md. Quamrul Hassan Siddique Resident of Mohalla - New Karimanj, Police Station - Civil Line, District - Gaya. At present posted and working as a Headmaster in Govt. Upgraded Middle School Kabhra, Anchal - Konch, District-Gaya.
3. Suryadev Chaudhary Son of Amri Chaudhary, Resident of Village - Jalapur, Police Station -Tekari, District - Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Upgraded Middle School Khabhra, Anchal - Konch, District-Gaya
4. Firoz Jahan Daughter of Md. Matin Wife of Md. Zafar Alam, Resident of Mohalla - New Karimganj, Police Station - Civil Line, District - Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Gaya Middle School Gaya, Anchal - Nagar Nigam ,North,, District-Gaya
5. Sunaina Kumari Wife of Naresh Prasad, Resident of Village - Chhotaki Delha, Police Station -Delha, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Rahim Bigha, Anchal - Nagar Prakhanda, District-Gaya
6. Nageshwar Das Son of Keshav Das, Resident of Village - Bishunpur, Police Station - Bankey Bazar ,Roushanganj,, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Moneyan, Anchal - Bankey Bazar, District-Gaya
7. Prasun Kumar Pritam Son of Sri Chand Prasad, Resident of Village - Bairivanwas, Police Station -Roushanganj, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Parsawan Khurd, Anchal - Bankey Bazar, District-Gaya
8. Ambuj Kumar Gupta Son of Krishnakant Prasad, Resident of Village - Bahera, Police Station -Imamganj, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Sagdiha, Anchal - Bankey Bazar, District-Gaya
9. Yamuna Kumari Wife of Sri Nageshwar Das Resident of Village - Bishunpur, Police Station -Bankey Bazar ,Roushanganj,, District - Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Bihargain, Anchal - Bankey Bazar, District-Gaya
10. Ram Pravesh Choudhary Son of Ram Swarup Choudhary, Resident of Village - Kadirpur, Police Station -Belaganj, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Gobraha, Anchal - Belaganj, District-Gaya
11. Kapildeo Prasad Son of Late Parmeshwar Pd. Singh, Resident of Village - Chanda, Police Station -Barachatti, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Primary School Amarut ,SC,, Anchal - Dobhi, District-Gaya
12. Md. Nasimul Haque Son of Mohiuddin Ansari, Resident of Village - Ghodaghat, Police Station -Dobhi, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Kothwara, Anchal - Dobhi, District-Gaya
13. Shailendra Kumar Son of Baleshwar Paswan, Resident of Village - Noni, Police Station -Tekari, District - Gaya. At present posted and working as an



- Assistant Teacher in Govt. Middle School Manjhiyawan, Anchal - Paraiya, District-Gaya
14. Amrendra Kumar Singh Son of Brahmdeo Prasad Singh, Resident of Village - Deokuli, Police Station -Rafiganj, District - Aurangabad. At present posted and working as an Assistant Teacher in Govt. Swatantra Middle School Purani Jailkhana, Anchal - Nagar Nigam ,North,, District-Gaya
 15. Sukhlal Choudhary Son of Sonu Choudhary, Resident of Village and Post Office- Bhore, Police Station -Muffasil, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Saraiya, Anchal - Khizersarai, District-Gaya.
 16. Girish Thakur Son of Arjun Thakur, Resident of Village - Bihta, Police Station -Lakhisarai, District - Lakhisarai. At present posted and working as an Assistant Teacher in Govt. Middle School Pokharpur, Anchal - Dumaria, District-Gaya.
 17. Azaz Ahmad Son of Md. Nawab Zada, Resident of Village and Post Office - Aranda, Police Station -M.H. Nagar, Hasanpura, District - Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Bijahari, Anchal - Konch, District-Gaya
 18. Sushila Sinha Wife of Surendra Prasad, Resident of Village - Surylapura, Post Office- Amwa, Police Station -Bodh Gaya, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Loco, Anchal - Chandauti, District-Gaya.
 19. Asgar Hussain Ansari Son of Samsuddin Ansari, Resident of Village - Shumali, Police Station -Sherghati, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Kajarsot, Anchal - Sherghati, District-Gaya
 20. Manorma Sinha Wife of Anil Kumar, Resident of Village - Chotki Nawada, Police Station -Delha, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Primary School Bageshwari, Anchal - Nagar Nigam, District-Gaya
 21. Indradeo Ravidas Son of Jethan Ravidas, Resident of Village - Pachrukhiya, Police Station -Roushanganj, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Lemboiya, Anchal - Bankey Bazar, District-Gaya
 22. Md. Shamim Akhter Son of Shoaib Anwar, Resident of Village - Ramna, Police Station -Sherghati, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Urdu Middle School Sonekhap, Anchal - Sherghati, District-Gaya
 23. Khwaja Aslamuzzaman Son of Khwaja Mahmood Alam, Resident of Village - Peerbigha, Police Station -Chandauti, District - Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Ramuanchak, Anchal - Amas, District-Gaya
 24. Khwaja Asad Alam Son of Khwaja Mahmood Alam, Resident of Village - Peerbigha, Police Station -Chandauti, District - Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Urdu Middle School Hamzapur, Anchal - Amas, District-Gaya
 25. Hariram Chaudhary Son of Late Biran Chaudhary, Resident of Village - Pipra, Police Station -Wazirganj, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Primary School Morrabi Chak ,SC,, Anchal - Nimchak Bathani, District-Gaya
 26. Ram Pravesh Prasad Son of Dhaneshwar Yadav, Resident of Village - Mustafabad, Police Station -Rampur, District - Gaya. At present posted and



- working as a Headmaster in Govt. Middle School Singh Pokhar, Anchal - Dobhi, District-Gaya
27. Rajesh Kumar Singh Son of Shambhu Singh, Resident of Village - Barhi, Police Station -Barhi, District - Hazaribagh ,Jharkhand,. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Bhalwachatti, Anchal - Barachatti, District-Gaya
 28. Anil Kumar Singh Son of Ram Lakhan Singh, Resident of Village - Shasti Nagar West, Rd. No. 08, Police Station -Rampur, District - Gaya. At present posted and working as a Trained Graduate Teacher in Headmaster, Anchal - Barachatti, District-Gaya
 29. Rampati Ravidas ,M, aged about 51 years, Son of Khwaja Yatan Ravidas, Resident of Village - Roridih ,Jondhi,, Police Station -Bankey Bazar, District - Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Dheuri, Anchal - Banke Bazar, District-Gaya
 30. Tuleshwar Singh ,M, aged about 50 years, Son of Late Rambhajan Singh, Resident of Village - Atiya, Police Station -M.U. Bodhgaya, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Khajwati, Anchal - Bodh Gaya, District-Gaya
 31. Pramod Kumar Son of Ramrup Ram, Resident of Village - Gahana, Police Station -Haspura, District - Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Silounja, Anchal - Bodh Gaya, District-Gaya
 32. Niranjana Kumar Nirala Son of Bindeshwar Choudhary, Resident of Mohalla - Ramnagar, Road No. 4, Post Office - Hazaribagh, Police Station -Sadar Hazaribagh, District -Hazaribagh ,Jharkhand,. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Barheta, Anchal - Bankey Bazar, District-Gaya
 33. Kumari Pushpa Wife of Ashok Kumar Singh, Resident of Mohalla -Ashok Vihar Colony, Police Station - Vishnupad, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Shekhwara, Anchal - Bodh Gaya, District-Gaya
 34. Md. Shahnawaz Akhtar Son of Syed Masood Akhtar, Resident of Mohalla - Aliganj, Road No. 12, Police Station -Chandauti, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Urdu Middle School Abgila, Anchal - Manpur, District-Gaya
 35. Ramyatan Kumar Son of Bishnu Ram, Resident of Mohalla - Bhusunda, Post Office - Nauranga, Police Station -Muffasil, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Chotiya, Anchal - Khizersarai, District-Gaya
 36. Birendra Kumar Son of Basudeo Prasad, Resident of Village - Bhusunda, Police Station -Muffasil, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Dihuri, Anchal - Fatehpur, District-Gaya
 37. Shailendra Kumar Son of Late Rajdeo Sharma, Resident of Village - Sultanpur, Police Station -Makhdumpur, District - Jehanabad. At present posted and working as a Headmaster in Govt. Middle School Bihta, Anchal - Khizersarai, District-Gaya
 38. Mithilesh Kumar Son of Bhagwan Prasad, Resident of Village - Law, Police Station -Tekari, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Satmas, Anchal - Khizersarai, District-Gaya
 39. Uma Shankar Prasad Son of Nagendra Prasad, Resident of Village - Kumardih Guljarbagh, Police Station -Makhdumpur, District - Jehanabad. At



- present posted and working as an Assistant Teacher in Govt. Middle School Bijahari, Anchal - Konch, District-Gaya
40. Mahendra Chaudhari Son of Late Deo Nandan Prasad Choudhary, Resident of Village - Gossain Nath, Police Station -Khizersarai, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Uptho, Anchal - Atri, District-Gaya
 41. Sunil Kumar Son of Bhagwat Singh, Resident of Village - Bhelawer, Police Station -Kako, District - Jehanabad. At present posted and working as an Assistant Teacher in Govt. Middle School Usewa, Anchal - Gurua, District-Gaya
 42. Ramakant Kumar Son of Late Dudheshwar Prasad Singh, Resident of Village - Musepur, Police Station -Khizersarai, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Khushiyaipur, Anchal - Khizersarai, District-Gaya
 43. Ashok Kumar Renu Son of Kuldeep Prasad, Resident of Village - Dirawan Cherki, Police Station -Cherki, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Itra, Anchal - Bodh Gaya, District-Gaya
 44. Singeshwar Paswan Son of Ramlakhan Paswan, Resident of Village - Burh Paraiya, Police Station -Paraiya, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Bali Manjhar, Anchal - Guraru, District-Gaya
 45. Ranjit Kumar Son of Bhwneshwar Lall, Resident of Village - Fatehpur, Police Station -Tekari, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Palanki Sakhi, Anchal - Guraru, District-Gaya
 46. Vijay Prasad Son of Deonandan Prasad, Resident of Village - Kanausi, Police Station -Konch, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Sondiha, Anchal - Guraru, District-Gaya
 47. Amerika Prasad Singh Son of Ramdahin Singh, Resident of Village - Bikaipur, Police Station -Atari, District - Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Gnourkhar, Anchal - Mohra, District-Gaya
 48. Rakesh Kumar Son of Yogendra Rajbanshi, Resident of Village - Sewtar Police Station -Atri, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Jota, Anchal - Mohra, District-Gaya
 49. Chandra Shekhar Sharma Son of Rampukar Sharma, Resident of Village - Salempur, Police Station -Paraiya, District - Gaya. At present posted and working as an Assistant Teacher in Govt. Primary School Dakhner ,H.T., Anchal - Paraiya, District-Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Department of Education, Govt. of Bihar, Patna
3. The Principal Secretary Department of Finance, Govt. of Bihar, Patna
4. The Director Primary Education, Govt. of Bihar, Patna
5. The District Education Officer Distt.-Gaya
6. The District Programme Officer (Establishment) Distt.-Gaya
7. The Block Education Officer Belaganj, Distt.-Gaya
8. The Block Education Officer Mohanpur, Distt.-Gaya



9. The Block Education Officer Sherghati, Distt.-Gaya
10. The Block Education Officer Imamganj, Distt.-Gaya
11. The Block Education Officer Wazirganj, Distt.-Gaya
12. The Block Education Officer Manpur, Distt.-Gaya
13. The Block Education Officer Khizar Sarai, Distt.-Gaya
14. The Block Education Officer Atari, Distt.-Gaya
15. The Block Education Officer Mohra, Distt.-Gaya
16. The Block Education Officer Fatehpur, Distt.-Gaya
17. The Block Education Officer Dumaria, Distt.-Gaya
18. The Block Education Officer Bodh-Gaya, Distt.-Gaya
19. The Block Education Officer Barachatti, Distt.-Gaya
20. The Block Education Officer Amas, Distt.-Gaya
21. The Block Education Officer Gurua, Distt.-Gaya
22. The Block Education Officer Konch, Distt.-Gaya
23. The Block Education Officer Tekari, Distt.-Gaya
24. The Block Education Officer Bathani, Distt.-Gaya
25. The Block Education Officer Banke Bazar, Distt.-Gaya
26. The Block Education Officer Paraiya, Distt.-Gaya
27. The District Accounts Officer Distt.-Gaya
28. The District Treasury Officer Distt.-Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra
For the Respondent/s : Mr.Madanjeet Kumar (GP-20)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-02-2019 The defect is ignored.

Heard the learned counsel for the parties.

The present writ petition has been filed for issuing a direction to the respondents to grant senior pay-scale/time bound promotion/A.C.P. to the petitioners on completion of 12 years of service.

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 CWJC No. 6139



of 2007 (*Ram Ashis Tiwary & others vs. The State of Bihar & others*), and the order of the Writ Court was affirmed in L.P.A. No. 756 of 2015 on 16.08.2017.

Having regard to the submissions made by the learned counsel for the parties, the present writ petition is disposed off 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 respondent no. 6 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 benefits should be extended to the petitioners within a period of one month thereafter, in case the case of the petitioners is found to be covered by the aforesaid judgment dated 31.03.2011 in the case of Ram Ashis Tiwary & Ors. (supra).

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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