

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4827 of 2019

1. Basant Kumar Son of Late Raj Narayan Singh Village, P.O. and P.S.-Goreyakothi, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School, Hariharpur Kala, Anchal-Goreyakothi, District-Siwan.
2. Ashok Kumar Singh Son of Late Bishv Nath Singh Resident of village-Mahammadpur Patti, P.S.-G.B.Nagar (Tarwara), District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Jhunnapur, Anchal-Pachrukhi, District-Siwan.
3. Suman Kumari Wife of Shri Ashok Kumar Singh Resident of village-Mahammadpur Patti, P.S.-G.B.Nagar (Tarwara), District-Siwan, At present posted and working as an Assistant Teacher in Govt. Primary School Harijan Hakam, Anchal-Pachrukhi, District-Siwan.
4. Misbahul Haque Son of Late Mohammad Azam Resident of village-Habibpur, P.S.-Barharia, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Maktab Rampur, Anchal-Pachrukhi, District-Siwan.
5. Dharmendra Kumar Shrivastava Son of Late Gulab Chand Prasad Shrivastva Resident of village-Rukundipur, P.S.-Daraunda, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Maharajganj, Anchal-Maharajganj, District-Siwan.
6. AkhileshKumar Shrivastva Son of Late Vidyanand Das Resident of Village-Bal Bangra, P.S.-Daraunda, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Sikatiya Laljee Tola, Anchal-Maharajganj, District-Siwan.
7. Shriram Singh Son of Late Shivjee Prasad Singh Resident of Village-Rukundipur, P.S.-Daraunda, District-Siwan. At present posted and working as an Assistant Teacher in Govt.Upgraded Middle School, Mahuari, Anchal-Maharajganj, District-Siwan.
8. Atul Kumar Prasad Son of Late Narbdeswar Prasad Resident of Mohalla-Nai Basti Mahadeva, Siwa, P.S.-O.P. Mahadeva Siwan, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Premhata, Anchal-Pachrukhi, District-Siwan.
9. Kamleshwar Prasad Singh Son of Late Bindeshwari Prasad Singh Resident of village-Dhanaua, P.S.-Basantpur, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Basaw, Anchal-Basantpur, District-Siwan.
10. Arun Kumar Parimal Son of Late Lakshman Prasad Resident of village-Harpur, P.S.-Goreyakothi, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Basaw, Anchal-Basantpur, District-Siwan.
11. Shri Krishna Prasad Son of Late Ram Das Prasad Resident of Village-Chitauli Tola Chaklapar, P.S.-Goreyakothi, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School, Semardah, Anchal-Basantpur, District-Siwan



12. Sanjeev Kumar Singh Son of Sitaram Singh Resident of Village-Basaw, P.S.-Basantpur, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School, Supauli, Anchal-Pachrukhi, District-Siwan.
13. Pankaj Kr. Ojha Son of Late Surendra Ojha Resident of village-Baraka Gaon, P.S.-Bhagwanpur Hat, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Karhi Kala, Anchal-Basantpur, District-Siwan.
14. Umesh Kumar Tiwari Son of Late Parsuram Tiwari Resident of Village-Karpalia, P.S.-Goreyakothi, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Sangrampur, Anchal-Goreyakothi, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar 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 District Education Officer, Siwan.
6. The District Programme Officer (Establishment), Siwan.
7. The Block Education Officer, Siwan Sadar, District-Siwan.
8. The Block Education Officer, Goreyakothi, District-Siwan.
9. The Block Education Officer, Pachrukhi, District-Siwan.
10. The Block Education Officer, Maharajganj, District-Siwan.
11. The Block Education Officer, Basantpur, District-Siwan.
12. The District Accounts Officer, Siwan.
13. The District Treasury Officer, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra
For the Respondent/s : Mr.Subash Chandra Mishra (Sc16)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-04-2019 Heard the learned counsel for the petitioners and the
learned counsel appearing for the State.

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.



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*.

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.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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