

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5002 of 2019

1. Ravindra Kumar Son of Late Sona Lal Singh Resident of Village- Tinkoni, Police Station- Darpa, District- East Champaran at present posted as Assistant teacher, U.M.S. Bela, Bankatwa, East, District East Champaran.
2. Sanjay Kumar Prasad Son of Late Sheo Shankar Prasad Resident of Village and Post Office- Gamharia Kala, Police Station- Darpa, District East Champaran at present posted as Assistant teacher, Ra. Utt. Middle School, Sirsiya Khurd, Adapur, District East Champaran.
3. Naresh Kumar Son of Indradeo Prasad Resident of Village and Post Office- Bhelwa, Police Station- Madhuban, District- East Champaran, at present posted as Assistant Teacher, at present posted as Assistant Teacher Rajkiya Middle School, Bhelwa, Madhuban, District- East Champaran.
4. Kanhaiya Prasad Keshav Son of Late Ram Lakshman Mahto Resident of Village- Kush Wanshi Nagar, Post Office- Gavandri, Police Station- Dhaka, District- East Champaran, at present posted as Assistant Teacher G.P.S. Gahai North, Dhaka, District East Champaran.
5. Md. Shabir Ahmad Son of Md. Sidik Resident of Village and Post Office- Ghorasahan, Police Station- Ghorasahan, District- East Champaran at present posted as Assistant Teacher, U.M.S. Ghorasahan, District- East Champaran.
6. Ramakant Thakur Son of Bindeshwari Thakur Resident of Village- Sripur Uttari, Post Office- Kawaia, Police Station- Ghorasahan, District- East Champaran, at present posted as Assistant teacher, Rajkiya Uttakarmit Middle School Baidhnathpur, Ghorasahan, District- East Champaran.
7. Vinod Kumar Singh Son of Veer Shankar Deo Singh Resident of Village and Post Office- Barwa Purwari, Police Station- Lakhaura, District- East Champaran at present posted as Assistant Teacher Rajkiya Middle School, Inarwa, Phulwa, Bankatwa, District- East Champaran.
8. Virendra Kumar Son of Late Parkishan Rai Resident of Village- Pokharia, Post Office- Nimoia, Police Station- Ghorasahan, District- East Champaran at present posted as Assistant teacher Uttkarmit Middle School, Bankatwa, District East Champaran.
9. Md. Iqbal Hussain Son of Md. Abbas Ali Resident of Village- Mohammadpur, Post Office- Siswania, Via- Motihari, Police Station- Banjaria, District- East Champaran at present posted as Assistant teacher G.P.S. Urdu Anjumana Islamia Motihari Nagar, District- East Champaran.
10. Md. Shakeel Mustafa Son of Late Md. Kalimullah Resident of Village- Mohammadpur, Post Office- Siswania, Via- Motihari, Police Station- Banjaria, District- East Champaran at present posted as Assistant Teacher, G. Ra. Kri. Sikaria Middle School, Motihari Nagar, District- East Champaran.
11. Ram Sagar Arya Son of Late Saryu Ram Arya Resident of Village- Dharhari, Post Office- Diphi, Police Station- Chiraiya, District- East Champaran at present posted as Assistant Teacher U.M.S. Dharharwa, Chiraiya, District East Champaran.
12. Premchand Prasad Son of Sri Prasad Kushwaha Resident of Village- Koraia



- Samanpur, Post Office- Barwakhurd, Police Station- Kundwa Chainpur, District- East Champaran at present posted as Assistant Teacher U.M.S. Basantpur, Ghorasahan, District- East Champaran.
13. Chandrawati Kumari Wife of Chethru Ram Resident of Village- Harihara, Post Office- Sagardina, Police Station- Shikarganj, District- East Champaran, at present posted as Assistant teacher, U.M.S. Parwa Chiraiya, District- East Champaran.
 14. Sanjeev Kumar Singh Son of Late Damodar Singh Resident of Village- Santpur, Post Office- Kawaia, Police Station- Jharokhar, District- East Champaran, at present posted as Assistant Teacher, R.U.M.S., Basantpur, Ghorasahan, District- East Champaran.
 15. Md. Meraj Ansari Son of Late Abdul Majid Ansari Resident of Village and Post Office- Bijbani, Police Station- Jitna, District- East Champaran, at present posted as Assistant Teacher R. Primary School, Ghorasahan, District- East Champaran.
 16. Kapildeo Ram Son of Late Chaturi Ram Resident of Village and Post Office- Mathia, Police Station- Chauradano, District- East Champaran, at present posted as Assistant Teacher, U.M.S. Hardia Urdu, Chauradano, District- East Champaran.
 17. Parmeshwari Ram Son of Late Bhikhari Ram Resident of Village and Post Office- Bela Chamhi, Police Station- Chauradano, District- East Champaran at present retired Teacher, U.M.S., Chainpur, Chauradano, District- East Champara.
 18. Uday Narayan Mehta Sri Jinis Prasad Resident of Village- Kawaia, Post Office- Kawaia, Police Station- Ghorasahan, District- East Champaran at present posted as Assistant Teacher, S.M.S. Sundarpur, Ghorasahan, District- East Champaran.
 19. Sikandra Ram Son of Late Shiv Dutt Ram Resident of Village and Post Office- Chenari, Police Station- Jitna, District- East Champaran at present posted as Assistant Teacher U.M.S. Jeetpur, Bankatwa, District- East Champaran.
 20. Uma Kant Singh Son of Late Rajendra Prasad Singh Resident of Village and Post Office- Kawaia, Police Station- Ghorasahan, District- East Champaran at present posted as Assistant Teacher R.M.S., Tonwa, Ghorasahan, District- East Champaran.
 21. Upendra Kumar Prabhat Son of Mohan Paswan Resident of Village- Ramji Dubey Tola, Post Office- Laukhan, Police Station- Dhaka, District- East Champaran at present posted as Assistant Teacher Ra. Primary School, Bakrihari, Dhaka, East Champaran.
 22. Tarkeshwar Prasad Son of Late Fateh Chandra Sah Resident of Village- Aamwa, Post Office- Kundwa Chainpur, Police Station- Ghorasahan, District- East Champaran at present posted as Assistant Teacher Ra. Primary School, Lala Tola, Laukhan, Ghorasahan, District- East Champaran.
 23. Amar Ram Son of Late Jung Bahadur Ram Resident of Village- Raghunathpur, Post Office- Nirpur, Police Station- Chiraiya, District- East Champaran at present posted as Assistant Teacher U.M.S. Bela, Chiraiya, District- East Champaran.



24. Manoj Kumar Sinha Son of Late Achhelal Prasad Resident of Village- Bhatinia, Post Office- Bhelwa Shakil, Police Station- Ghorasahan, District- East Champaran at present posted as Assistant Teacher R.U.M.S. Bakha Kala Kanya, Ghorasahan, District- East Champaran.
25. Mohan Paswan Son of Late Puran Paswan Resident of Village- Pipra, Post Office and Police Station- Darpa, District- East Champaran at present posted as Assistant Teacher R.U.M.S. Purainia, Ghorasahan, District- East Champaran.
26. Margub Alam Son of Late Kaji Md. Idrish Resident of Village and Post Office- Purshotampur, Police Station- Chauradano, District- East Champaran at present posted as Assistant Teacher R.U.M.S. Mashi (Urdu) Chauradano, District- East Champaran.
27. Umesh Kumar Son of Ram Balak Chaudhary Resident of Village- Jainagar, Post Office- Juafar, Police Station- Chauradano, District- East Champaran at present posted as Assistant Teacher U.M.S. Sripur, Chauradano, District East Champaran.
28. Prabhu Sharan Thakur Son of Late Jagdish Thakur Resident of Village- Pipra, Post Office and Police Station- Darpa, District- East Champaran at present posted as Assistant Teacher R.U.M.S. Dharhari, Chauradano, District- East Champaran.
29. Shiv Shankar Prasad Gupta Son of Late Ganga Sah Resident of Village- Brahmpura, Post Office- Kudarkat, Police Station- Chauradano, District East Champaran at present posted as Assistant Teacher U.M.S. Pipra Purbi, Chauradano, District- East Champaran.
30. Md. Saifullah Ansari Son of Late Md. Abibullah Resident of Village and Post Office- Pakaria, Police Station- Chauradano, District- East Champaran at present posted as Assistant Teacher U.M.S. Tinkoni Tola, Chauradano, District- East Champaran.
31. Arjun Kumar Son of Sri Ramakant Rai Resident of Village- Banjari, Post Office- Purshottampur, Police Station- Chauradano, District- East Champaran at present posted as Assistant Teacher R.U.M.S., Bhadhanhia, Chauradano, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Human Resources Department, Government of Bihar, New Secretariat, Patna.
2. The Director, Primary Education Bihar, Patna.
3. The D.D.C.-cum- Chairman, Establishment Committee East Champaran.
4. The District Superintendent of Education East Champaran.
5. The District Education Officer East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III
For the Respondent/s : Mr.Kameshwar Kumar (Gp17)



CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 14-03-2019

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

2. 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.

3. 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*.

4. In above view of the matter, the present writ petition is disposed of with a direction to the respondent no. 5 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. 5 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.

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

(Mohit Kumar Shah, J)

rinkee/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.03.2019
Transmission Date	NA

