

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5741 of 2019

1. Dhirendra Kumar Son of Late Jagdev Ram R/o Mohalla-Shiv Mandir, P.S.Daud Nagar, District-Aurangabad, presently posted as Graduate Teacher, Middle School, Rajoi Bijoi, Aurangabad
2. Ashok Kumar Son of Late Ram Wachan Das R/o Village-Khudwan, P.S. Obra, District Aurangabad, presently posted as Head Master, Middle School Gamhari, Aurangabad
3. Nandkeshwar Baitha Son of Late Ram Prasad Baitha R/o Village-Simrahua, P.S. Aurangabad, District-Aurangabad, presently posted as Head Master, Middle School Madarpura, Aurangabad
4. Vibhakar Mishra Son of Shyam Ballam Mishra R/o Village-Deowariya, P.S. Jamhore, District-Aurangabad, presently posted as Assistant Teacher, Middle School Karma Bhagwan, Aurangabad
5. Rakesh Prasad Son of Narayan Prasad R/o Village-Barari, P.S. Deo, District-Aurangabad, presently posted as Head Master, Middle School Pachaukhar, Deo, Aurangabad
6. Sunil Kumar Son of Basant Choudhary R/o Village-Mahuasahid, P.S. Aurangabad, District-Aurangabad, presently posted as Primary School Nepwa, Deo, Aurangabad
7. Rajesh Kumar Choudhary Son of Lalan Choudhary R/o Village-Sihari, P.S. Goh, District-Aurangabad, presently posted as Graduate Teacher, Middle School Bedhani, Deo, Aurangabad
8. Md. Yunus Ansari Son of Md. Rustam Ali R/o Village Bedhana, P.S. Deo, District-Aurangabad, presently posted as Head Master, Middle School Bedhana Deo, Aurangabad
9. Surendra Kumar Son of Chanarik Singh R/o Village-Kathwari, P.S. Obra, District Aurangabad, presently posted as Head Master, Middle School Nima, Madanpur, Aurangabad
10. Sunil Ram Son of Late Narayan Ram R/o Village and P.S. Deo, District-Aurangabad, presently posted as Head Master, Middle School Sanathua, Rafiganj, Aurangabad
11. Chhotelal Choudhary Son of Sant Lal Choudhary R/o Village Neuara, P.S. Bihta, District Patna presently posted as Head Master, Middle School Baluganj, Deo Aurangabad
12. Madan Kumar Son of Yamuna Ram R/o Village Aaskhap, P.S. Jamhore, District Aurangabad, presently posted as Asst. Teacher, Middle School Tendua Binduliya, Barun, Aurangabad
13. Md. Jalil Ahmad Son of Late Abddul Razak R/o Village-Neyamatpur, P.S. Deo, District Aurangabad, presently posted as Head Master, Middle School Dumri, Kutumba, Aurangabad
14. Ashok Kumar son of Ram Charitra Paswan R/o Village-Chandrapur, P.S. Asthawan, District-Nalanda, presently posted as Graduate Teacher, Middle School Rawal Bigha, Deo, Aurangabad
15. Md. Nasim Ahmed Son of Md. Lukman R/o Village and P.S. Madanpur,



District-Aurangabad, presently posted as Asst. Teacher, Utkarmit Middle School Balapokhar, Deo Aurangabad

16. Umesh Kumar Mishra Son of Babulal Mishra R/o Village Yari, P.S.- Aurangabad, District-Aurangabad, presently posted as Head Master, Middle School Manika Madanpur, Aurangabad
17. Vijay Kumar Son of Late Barhu Ram R/o Village New Mahmadpur, P.S. Koilwar, District Bhojpur, presently posted as Graduate Teacher, Middle School Kariyawan, Aurangabad
18. Sudhir Kumar Diwakar Son of Suraj Mistri R/o Village-Soni, P.S. Daud Nagar, District Aurangabad, presently posted as Asst. Teacher, Middle School Bharub, Obra, Aurangabad
19. Samrendra Kumar Singh Son of Ranvijay Singh R/o Village Sori, P.S. Mali, District Aurangabad, presently posted as Asst. Teacher, Middle School Sardiha, Kutumba, Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
2. The Director Primary Education, Government of Bihar, Patna
3. The District Education Officer Aurangabad
4. The District Programme Officer Establishment Aurangabad

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat
For the Respondent/s : Smt. Shilpa Singh (GA 12)
Abhanjali, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 27-03-2019 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 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, upon the petitioners herein making appropriate representation before the Respondent No. 3 and the final decision in this regard shall be taken by the Respondent No. 3 within a period of eight weeks of filing of the representation and if the petitioners are found entitle to any consequential benefits including the monetary benefit then the same would be extended to the petitioners within a further period of eight weeks therefrom.

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

(Mohit Kumar Shah, J)

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