

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5886 of 2019

1. Manager Yadav Son of Late Ramchandra Yadav Resident of Village-Baghauni, Police Station-Hussainganj, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Dhankhar, Anchal-Hussainganj, District-Siwan.
2. Amar Kumar Prasad Son of Sheonandan Lal Prasad Resident of Mohalla-Parsa Harna Tanr, Post Office-Tadwa Parsa, Police Station-M.H. Nagar (Hasanpura), District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Paschim Tola Chanp, Anchal-Hasanpura, District-Siwan.
3. Madhaw Singh Son of Late Gama Singh Resident of Village-Gopalpur, Police Station-Pachrukhi, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Gamhariya, Anchal-Pachrukhi, District-Siwan.
4. Satyendra Kumar Singh Son of Late Bankey Singh Resident of Village-Sarsar, Police Station-Siwan (Muffasil), District-Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Rampur, Anchal-Siwan Sadar, District-Siwan.
5. Dashrath Prasad Son of Ganesh Prasad Resident of Mohalla-Jhunapur, Police Station-Mahadeva (O.P.), District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Bindusar Bujurg, Anchal-Pachrukhi, District-Siwan.
6. Jaki Ahmad Son of Late Abdus Samad Resident of Village-Mahual, Police Station-Hussainganj, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary Maktab Chakiyan, Anchal-Pachrukhi, District-Siwan.
7. Nilam Kumari Wife of Praween Kumar Resident of Mohalla-North of C.S. Office, Mission Compound, Police Station-Mahadeva, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Kachahari, Anchal-Siwan, District-Siwan.
8. Ved Prakash Aman Son of Late Sudarshan Ram Resident of Village-Sarsar, Police Station-Siwan Muffasil, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Majhawaliya, Anchal-Pachrukhi, District-Siwan.
9. Divya Pandey Wife of Rajiv Kumar Tiwary Resident of Mohalla-Nai Basti, Police Station-Mahadeva (O.P.), District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Kachahari, Anchal-Siwan, District-Siwan.
10. Rajeev Kumar Tiwary Son of Late Santeshwar Nath Tiwary Resident of Village-Pipara, Police Station-Goreyakothi, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Shrinagar, Anchal-Siwan Sadar, District-Siwan.
11. Nagendra Kumar Singh Son of Late Parshuram Singh Resident of Village-Sarsar, Police Station-Siwan Muffasil, District-Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Meerapur (Urdu),



Anchal-Siwan Sadar, District-Siwan.

... .. Petitioner/s

Versus

1. The State of 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, Hussainganj, District-Siwan.
8. The Block Education Officer, Hasanpura, District-Siwan.
9. The Block Education Officer, Pachrukhi, District-Siwan.
10. The Block Education Officer, Siwan Sadar, District-Siwan
11. The Block Education Officer, Siwan, 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.Madhaw Pd. Yadaw (Gp23)

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 respondent no. 6 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 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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