

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7056 of 2019

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Dhananjay Kumar Son of Shri Vijay Kumar Resident of Village - Parsawa
Kala, P.O. Gerua, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The District Education Officer, Gaya.
4. The Block Education Officer, Simaru, Gaya.
5. The Drawing and Disbursing Officer(DDO), High School, Simaru-cum-
Headmaster, High School, Simaru, Gurua, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Nikhil Kumar Agrawal Ms. Aditi Hansarai Ms. Deepika Sharma
For the Respondent/s	:	Mr.Kameshwar Kumar (GP-17)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-04-2019 At the outset, the learned counsel for the petitioner seeks permission to add the Director, Secondary Education, Government of Bihar, Patna as respondent no. 6 to the present petition.

Let the same be done during the course of the day.

The dispute in question is as to whether the petitioner should be paid salary in the pay-scale of the Graduate Untrained scale or the Graduate Trained scale. While the petitioner contends that he has been appointed as an Assistant Teacher, the respondents are creating a confusion to the effect as to whether the petitioner is trained or untrained.

At this juncture, the learned counsel for the petitioner submits that the petitioner is possessing the qualification of



Graduate Untrained and, therefore, he should be paid the scale of Graduate Untrained.

Per contra, the learned counsel for the respondents submits that the petitioner is a Graduate Trained person, hence, he is required to be paid on the basis of the Graduate Trained scale.

In order to adjudicate the disputed question of fact, which according to the petitioner is not in dispute, it would be appropriate to relegate the petitioner to the remedy of filing a representation before the newly added respondent no. 6 i.e. the Director, Secondary Education, Government of Bihar, Patna within a period of two weeks from today who shall adjudicate the same within a period of eight weeks thereafter and make payment of the admitted dues of salary within the said time frame.

This writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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