

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7745 of 2019

1. Murari Prasad Son of Late Ram Chandra Prasad Resident of Karimabigha, Post Office-Kasar, Police Station-Sheikhpura, District-Sheikhpura.
2. Sanjay Prasad Singh Son of Late Nageshwar Prasad Singh Resident of Village-Sultanpur, Post Office-Hathodi, Police Station-Sheikhpura, District-Sheikhpura.

... .. Petitioners

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education-cum-Special Secretary, Bihar, Patna.
3. The Joint Director, Department of Education, Bihar, Patna.
4. The District Magistrate-cum-Collector, Sheikhpura.
5. The District Programme Officer, (Establishment), Sheikhpura.
6. The District Education Officer, Sheikhpura.
7. The District Superintendent of Education, Sheikhpura.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Respondent/s : Mr. Arbind Kumar Singh, AC to Gp20

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 19-09-2019 The claim of the petitioners for grant of salary of matric trained teacher has been rejected by order dated 20.2.2019 of District Education Officer, Sheikhpura.

Counsel for the petitioners submits that the issue stands decided in the proceedings arising out of CWJC No. 16191 of 2019 passed in the case of *Surendra Prasad vs. State of Bihar & ors.* Counsel for the petitioners submits that the petitioners were also appointed on compassionate ground and were possessing requisite qualification to bring them within the purview of decision of this



Court passed in the case of Surendra Prasad (supra).

The issue therefore requires reconsideration by the District Education Officer, Sheikhpura in light of the judgment of this Court in the case of Surendra Prasad (supra).

The matter is therefore remanded to the District Education Officer, Sheikhpura to take a decision afresh on the claim of the petitioners for grant of matric trained scale in light of the judgment in the case of Surendra Prasad (supra). Let final decision be taken by respondent No. 6 and benefits found due as a result thereof be paid to the petitioners within a period of three months from the date of receipt/production of a copy of this order. In order to facilitate decision, this Court would quash order dated 20.2.2019 whereby claim of the petitioners was earlier rejected by District Education Officer.

The writ petition is allowed in the aforesaid terms.

(Madhuresh Prasad, J)

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