

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7383 of 2019

Shiv Shankar Rajak Son of Late Dwarika Rajak, resident of Village- Malipur, Ward No. 10, P.S.- Garhpura, District- Begusarai, Presently posted as Block Teacher in Upgraded Middle School, Ranichak, Under Block- Garhpura, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Begusarai.
4. The District Education Officer, Begusarai.
5. The District Programme Officer (Establishment), Begusarai.
6. The Block Development Officer, Garhpura, District- Begusarai.
7. The Block Education Officer, Garhpura, District- Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Jha
For the Respondent/s : Mr.Ashutosh Ranjan Pandey (Aag15)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-04-2019 The learned counsel for the petitioner submits that the matter of the petitioner for grant of regular status on regular pay scales along with admissible monetary benefits from the date of appointment is squarely covered by a judgment ***dated 11.05.2018*** passed in ***CWJC no. 8963 of 2018 (Chandra Shekhar Azad & ors. v. The State of Bihar and ors.)***, hence similar relief should be granted to the petitioner herein.

The learned counsel for the petitioner submits that according to the aforesaid judgment, the benefits are to be granted in those cases where the death has taken place prior to 01.07.2006 and



in the present case, the death of the father of the petitioner took place on 01.06.2006.

Per contra, the learned counsel for the respondents submits that the case of the petitioner would be examined by the respondent no. 5 and in case, it is found that the case of the petitioner is covered by the aforesaid judgment ***dated 11.05.2018***, similar relief would be granted to the petitioner herein.

Having regard to the submission made by the learned counsel for the parties, the present writ petition is disposed of with a direction to the petitioner to file an appropriate representation before the respondent no. 5 along with certified copy of the present order, which shall be decided by the respondent no. 5 within a period of eight weeks thereafter and in case, it is found that the case of the petitioner is covered by the aforesaid judgment ***dated 11.05.2018***, appropriate relief would be granted to the petitioner in terms thereof and accordingly, the consequential benefits shall also follow.

(Mohit Kumar Shah, J)

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