

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11022 of 2019

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Kameshwar Yadav Son of Fuleshwar Yadav Resident of Village- Bhelwa,
P.S.- Sono, District- Jamui. At Present posted as Higher Secondary Teacher
i.e. (PGT) in History faculty of Plus 2 Rajye Samposhit High School, Sono,
Jamui, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary of Education Department,
Govt. of Bihar, Patna.
2. The Director Secondary Education Department, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education Department of Munger Range
Munger.
4. The District Education Officer Jamui.
5. The District Programme Officer Establishment of Education Department of
Jamui District.
6. Prashant Kumar Son of Akshayat Prasad Singh, At Present posted as
secondary teacher i.e. T.G.T in Social Science faculty of Plus 2 Rajye
Samposhit High School Sono, Jamui, district- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Jha
For the Respondent/s : Mr.Jitendra Kumar Roy 1 (Sc 13)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2019 The present writ petition has been filed by the petitioner
seeking the following reliefs:-

*“(i) For issuance of direction to the
authorities concern to immediate provide the
charge of In-charge Principal/Headmaster
+2 Rajye Samposhit High School Sono,
Jamui, District-Jamui, to the petitioner from
the respondent no. 6 after considering the
fact that the appointment of petitioner has
been made as Higher Secondary Teacher
(PGT) and his grade pay is Rs. 2800 whereas
the appointment of the respondent no. 6 has
been made on the post of secondary teacher
and his grade pay is Rs. 2400/-.*



(ii) For issuance of the direction to the authorities concern to expeditiously declare the petitioner as senior most teacher in the concern school considering this fact that the requisite education qualification for the appointment of PGT teacher i.e. Higher Secondary Teacher is post graduate alongwith B.Ed and as such imparting education in 10+2 level students whereas the requisite qualification for the appointment on the post of TGT i.e. Secondary teacher is trained graduate and imparting education level is only secondary class.

(iii) For issuance of direction to the authorities concern to maintain parallel parameter for the appointment on the post of in-charge Principal /Headmaster of the school in question in light of considering the previous letters issued by the education department on various occasion disclosing that the PGT teacher is senior to the TGT teacher as well as in light of Bihar School Service Rule, Central School Service Rules and KVS Rules.”

The learned counsel for the petitioner submits that the petitioner would be satisfied in case, the petitioner is given liberty to file a representation regarding his grievances mentioned in the writ petition and the concerned authority is directed to dispose of the same within a specified time frame.

Accordingly, the petitioner is directed to file a representation within a period of four weeks from today before the Respondent No. 3 and the Respondent No. 3 is directed to dispose of the same within a period of eight weeks thereafter,



failing which the said authority shall be visited with penal consequences.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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