

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11906 of 2019

1. Subhash Kumar Rai Son of Late Basudeo Rai Resident of Village- Sirisiyan, Police Station- Kanti, District- Muzaffarpur. at present posted and working as a Headmaster in Govt. Upgraded Middle School Gosaintola, Block- Kanti, District- Muzaffarpur.
2. Nawal Kishore Ram Son of Late Jagannath Ram Resident of Village- Jagdishpur, Police Station- Sahebganj, District- Muzaffarpur. at present and working as and Assistant Teacher in Govt. Upgraded Middle School Jagdishpur, Block- Sahebganj, District- Muzaffarpur.
3. Awadhesh Das Son of Baddi Das Resident of Village and Post Office- Jagdishpur, Police Station- Sahebganj, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Shahpurpatti, Block- Sahebganj, District- Muzaffarpur.
4. Manoj Kumar Srivastava Son of Late Tribhuwan Prasad Srivastava Resident of Village- Rajapakar, Police Station- Sakra, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Baji Bujurg, Block- Sakra, District- Muzaffarpur.
5. Ranjeet Baitha Son of Nageshwar Baitha Resident of Village- Ratanpur, Police Station- Sakra, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Bajitpur Ashok, Block- Sakra, District- Muzaffarpur.
6. Manoj Kumar Son of Sri Hari Prasad Sah Resident of Village- Baji Ghat, Police Station- Sakra, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Primary School Jogani Ganga, Block- Sakra, District- Muzaffarpur.
7. Om Prakash Son of Late Ambika Singh Resident of Village- Shahpurpatti via- Deoria, Police Station- Sahebganj, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Gahilo, Block- Saraiya, District- Muzaffarpur.
8. Amrendra Kumar Son of Late Yadunandan Prasad Resident of Village- Sakra Faridpur, Police Station- Sakra, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Majhauilya (Hindi), Block- Sakra, District- Muzaffarpur.
9. Virendra Prasad Son of Sri Rajmangal Prasad Resident of Village- Kodhia (Nagar Panchayat Kanthi), Police Station- Kanti, District- Muzaffarpur. at present posted and working as Headmaster in Govt. Upgraded Middle School Pakdi, Block- Kanti, District- Muzaffarpur.
10. Vijay Paswan Son of Late Muneshwar Paswan Resident of Village- Balaur, Police Station- Gaighat, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Primary School Pirauncha, Kanya, Block- Gaighat, District- Muzaffarpur.
11. Kiran Kumari Wife of Ashok Prasad Yadav Resident of Village- Shivraha Vasudeo, Police Station- Ahiyapur, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Shivraha Basudeo, Block- Bochahan, District- Muzaffarpur.



12. Nagendra Jha Son of Chaturbhuj Jha Resident of Village- Ladaur, Police Station- Gaighat, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Balha, Block- Gaighat, District- Muzaffarpur.
13. Shivshankar Rai Son of Late Brahmdeo Rai Resident of Village- Raksa, Police Station- Karja, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Basatpur, Block- Madwan, District- Muzaffarpur.
14. Nawal Kishor Kumar Son of Pashupati Ram Resident of Village- Bhagwanpur (Shiv Mandir), Police Station- Sadar, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Fuladh, Block- Paroo, District- Muzaffarpur.
15. Vinod Kumar Son of Sukan Ram Resident of Village- Dharampur, Police Station- Sadar, District- Muzaffarpur, at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Rampur Vishwanath, Block- Saraiya, District- Muzaffarpur.
16. Dhananjay Kumar Son of Late Shyamnandan Prasad Resident of Village- Kundal, Police Station- Runnisaidpur, District- Sitamarhi. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Gangati, Block- Minapur, District- Muzaffarpur.
17. Dinanath Chaudhary Son of Late Rambriksh Chaudhary Resident of Village- Daud Chapra, Police Station- Minapur, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Rani Khaira, Block- Minapur, District- Muzaffarpur.
18. Vijay Kumar Singh Son of Late Ram Ganesh Prasad Singh Resident of Village- Sarwarpur, Police Station- Tariyani, District- Sheohar. at present posted and working as an Assistant Teacher in Govt. Primary School Purauniya Dakshini, Block- Minapur, District- Muzaffarpur.
19. Vinod Paswan Son of Late Baidyanath Paswan Resident of Village- Karja, Police Station- Karja, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Chainpur, Block- Madwan, District- Muzaffarpur.
20. Ajay Kumar Chaudhary Son of Baidyanath Chaudhary Resident of Village- Jagdishpur Kamtaul, Police Station- Kudhni, District- Muzaffarpur. at present posted and working as and Assistant Teacher in Govt. Upgraded Middle School Madhuban, Block- Aurai- 2, District- Muzaffarpur.
21. Ratnesh Prasad Singh Son of Late Bhagwat Prasad Singh Resident of Village- Harka Kalyanpur, Police Station- Minapur, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Gangati, Block- Minapur, District- Muzaffarpur.
22. Lal Bachchan Paswan Son of Late Bhagwat Prasad Rai Resident of Village- Harka Kalyanpur, Police Station- Minapur, District- Muzaffarpur. at present posted as an Assistant Teacher in Govt. Middle School Gangati, Block- Minapur, District- Muzaffarpur.
23. Lal Bachchan Paswan Son of Sakal Paswan Resident of Village- Karchauliya, Police Station- Siwaipatti, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle



School Raghapur Hindi, Block- Minapur, District- Muzaffarpur.

24. Ajay Kumar Chaudhary Son of Late Mahendra Chaudhary Resident of Village- Tengrari, Police Station- Siwaipatti, District- Muzaffarpur. at present posted and working as Headmaster in Govt. Upgraded Middle School Chittarpatti, Block- Minapur, District- Muzaffarpur.
25. Ranju Kumari Son of Rajeev Kumar Resident of Mohalla- Laxmi Narayan Colony, Bela, Police Station- Mithanpura, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Primary School Kalyani Bada, Musahar, Block- Musahari Nagar Kshetra, District- Muzaffarpur.
26. Ram Bilash Rai Son of Sri Jagan Ram Resident of Village- Bajitpur, Police Station- Paroo, District- Muzaffarpur. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Mangurhiyan, Block- Paroo, District- Muzaffarpur.
27. Ravindra Kumar Chaudhary Son of Late Amar Kumar Chaudhary Resident of Village- Devhan, Police Station- Kanti, District- Muzaffarpur. at present posted and working as an Assistant Teacher (Physical) in Govt. Middle School Bashatpur Sherna, Block- Kanti, District- Muzaffarpur.
28. Yogendra Kumar Son of Shivbhajan Ram Resident of Village- Nandpur, Police Station- Brahmpur, District- Muzaffarpur, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Hanuman Nagar, Block- Gaighat, District- Muzaffarpur.
29. Sanjeev Kumar Son of Pramod Kumar Singh Resident of Village- Dayanagar, Police Station- Belsand, District- Sitamarhi. at present posted and working as a Headmaster in Govt. Middle School Gorigama, Block- Minapur, District- Muzaffarpur.
30. Surendra Paswan Son of Sri Shivrindan Paswan Resident of Village- Chausima, Police Station- Sakra, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Kumhraul, Block- Gaighat, District- Muzaffarpur.
31. Arun Kumar Singh Son of Late Jangbahadur Singh Resident of Village- Chandpura, Police Station- Gaighat, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Kanta, Block- Gaighat, District- Muzaffarpur.
32. Arjun Prasad Jaiswal Son of Late Harihar Raut Resident of Village- Rohini, Police Station- Jasidih, District- Deoghar (Jharkhand). at present posted and working as an Assistant Teacher in Govt. Middle School Kanta, Block- Gaighat, District- Muzaffarpur.
33. Ramnaresh Kumar Mahto Son of Bindeshwar Mahto Resident of Village- Rampur Bhediya, Police Station- Kathaiya, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Thikahan, Block- Motipur, District- Muzaffarpur.
34. Parween Naz Wife of Md. Sanaul Haque Resident of Mohalla- Brahmpura, Railway Colony, Post Office- M.I.T., Police Station- Brahmpura, District- Muzaffarpur. At present posted and working as an Assistant Teacher in Govt. Middle School Repura, Block- Marwan, District- Muzaffarpur.
35. Rajgir Prasad Son of Munnilal Rai Resident of Village- Bhagwanpur, Police



- Station- Sakra, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Khalilpur, Block- Madwan, District- Muzaffarpur.
36. Indradeo Mahto Son of Sri Mahendra Mahto Resident of Village- Paltubelwa, Post Office- Mehshi, Police Station- Chakia, District- East Champaran, at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Madhukar Chapra, Block- Kanti, District- Muzaffarpur.
 37. Kedar Prasad Son of Chulhai Ram Resident of Village- Nawada, Post Office- Daudnagar, Police Station- Daudnagar, District- Vaishali. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Lalpura, Block- Saraiya, District- Muzaffarpur.
 38. Ram Pukar Singh Son of Horil Singh Resident of Village- Mahmadpur Alam, Police Station- Maniyari, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Pakahi, Kudhni, Block- Kudhni, District- Muzaffarpur.
 39. Priyatosh Kumar Son of Late Dharmnath Thakur Resident of Village- Mahmadpur Alam, Police Station- Maniyari, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Sonbarsa Sah, Block- Kudhni, District- Muzaffarpur.
 40. Suresh Paswan Son of Sagar Paswan Resident of Village- Muhabbatpur Alam, Police Station- Deoriya Kothi, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Rajwada, Block- Sahebganj, District- Muzaffarpur.
 41. Dinesh Paswan Son of Late Kishuni Paswan Resident of Village- Imadpur, Police Station- Sahebganj, District- Muzaffarpur. At present posted and working as an Assistant Teacher in Govt. Middle School Rasulpur, Block- Sahebganj, District- Muzaffarpur.
 42. Vinod Kumar Son of Late Ramvilash Sah Resident of Village- Sahebganj (Pratappatti), Police Station- Sahebganj, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Sahebganj Balika, Block- Sahebganj, District- Muzaffarpur.
 43. Awadh Bihari Rai Son of Late Bhisim Rai Bikal Resident of Village- Hussepur Mahuani, Police Station- Sahebganj, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Sahebganj (Balak), Block- Sahebganj, District- Muzaffarpur.
 44. Asad Numani Son of Late Md. Mustafa Resident of Mohalla- Jakariya Colony Saadpura, Police Station- Kaji Mohammadpur, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Primary School Chapra Bhojpur, Block- Musahari, District- Muzaffarpur.
 45. Razi Ahmad Son of Siddique Ali Resident of Village- Chandwara, Police Station- Nagar, District- Muzaffarpur. at present posted and working as Headmaster in Govt. Upgraded Middle School Harsher, Block- Minapur, District- Muzaffarpur.
 46. Lagnu Paswan Son of Late Sundar Paswan Resident of Village- Chausima, Police Station- Sakra, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Middle School Baigahi, Block- Sakra,



District- Muzaffarpur.

47. Yogendra Chaudhary Son of Jeetu Chaudhary Resident of Village- Shivraha Chaturbhuj, Police Station- Ahiyapur, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Primary School Misraulia, Block- Bochahan, District- Muzaffarpur.
48. Subodh Kumar Son of Late Ram Nagina Prasad Resident of Village- Devgan, Police Station- Kudhni, District- Muzaffarpur. at present posted and working as a Headmaster in Govt. Upgraded Middle School Pirapur, Block- Bandra, District- Muzaffarpur.
49. Sanjay Kumar Son of Deolal Singh Resident of Village- Muzaffara Kamtaul, Police Station- Kudhni, District- Muzaffarpur, at present posted and working as an Assistant Teacher in Govt. Middle School Khutahi, Block- Paroo, District- Muzaffarpur.
50. Bhola Kumar Shahi Son of Sitaram Shahi Resident of Village- Dashai, Police Station- Runni Saidpur, District- Sitamarhi. at present posted and working as Headmaster in Govt. Upgraded Middle School Godhiya Tola Narma, Block- Bochahan, District- Muzaffarpur.
51. Md. Nesaruddin Son of Late Md. Moinuddin Resident of Mohalla- Sadullahpur, Sir Syed Colony, Police Station- Ahiyapur, District- Muzaffarpur. at present posted and working as an Assistant Teacher in Govt. Primary School Gangapur (Urdu), Block- Musahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The District Education Officer, Muzaffarpur.
6. The District Programme Officer (Establishment) Muzaffarpur.
7. The Block Education Officer, Katra, Muzaffarpur.
8. The Block Education Officer, Bandra, Muzaffarpur.
9. The Block Education Officer, Sahebganj, Muzaffarpur.
10. The Block Education Officer, Sakra, Muzaffarpur.
11. The Block Education Officer, Marwan, Muzaffarpur.
12. The Block Education Officer, Paroo, Muzaffarpur.
13. The Block Education Officer, Bochahan, Muzaffarpur.
14. The Block Education Officer, Gaighat, Muzaffarpur.
15. The Block Education Officer, Kurhani, Muzaffarpur.
16. The Block Education Officer, Kanti, Muzaffarpur.
17. The Block Education Officer, Mushahari, Muzaffarpur.



18. The Block Education Officer, Aurai, Muzaffarpur.
19. The Block Education Officer, Minapur, Muzaffarpur.
20. The District Accounts Officer, Muzaffarpur.
21. The District Treasury Officer, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra
For the Respondent/s : Smt. Binita Singh (SC-28)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-06-2019 Heard the learned counsel for the petitioners and the
learned counsel appearing for the State.

The present writ petition has been 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 vs. 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 off with a direction to the respondents 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 respondents 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 off on the aforesaid terms.

(Mohit Kumar Shah, J)

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