

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13441 of 2019

1. Dr. Manoj Kumar Bandhu Son of Late Dip Narayan Yadav Resident of Village Durgabari, P.S. Adampur, District- Bhagalpur, Presently posted as Headmaster, Middle School, Prakhand Colony Naugachia, P.S. Naugachia, District- Bhagalpur.
2. Pradeep Kumar Singh Son of Mahendra Prasad Singh Resident of Village Murli, P.S. Rangra, District Bhagalpur, Presently posted as Headmaster, Middle School, Sahora Gaddi (Rangra Chowk), P.S. Rangra, District Bhagalpur.
3. Rajeev Nayan Son of Sri Nawal Kishore Rai Resident of Village Jhandapur, P.S. Bihpur, District Bhagalpur, Presently posted as TGT, Middle School, Choudhary Tola Jhandapur, P.S. Bihpur, District Bhagalpur.
4. Jitendra Kumar Choudhary Son of Late Vishwanath Choudhary Resident of Village Telghi, P.S. Kharik, District Bhagalpur, Presently posted as TGT, Rajkiyakrit Middle School, Marwa, P.S. Bihpur, District Bhagalpur.
5. Anil Kumar Dipak Son of Late Kuldip Prasad Singh Resident of Village Auliabad, P.S. Bihpur, District Bhagalpur, Presently posted as Headmaster, Girls Middle School, Chak Pyare, P.S. Bihpur, District Bhagalpur.
6. Ram Chandra Prasad Son of Late Sakhi Chandra Singh Resident of Village Auliabad, P.S. Bihpur, District Bhagalpur, Presently posted as TGT, Middle School, Shaikh Tola, Jhandapur, P.S. Bihpur, District Bhagalpur.
7. Ajay Kumar Choudhary Son of Late Nageshwar Choudhary Resident of Village- Gauripur, P.S. Bihpur, District Bhagalpur, presently posted as Assistant Teacher, Middle School, Lattipur, P.S. Bihpur, District- Bhagalpur.
8. Sabita Patil Daughter of Late Banarshi Prasad Mandal Resident of Village Murli, P.S. Rangra, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Mundi Chak, P.S. Jagdishpur, District Bhagalpur.
9. Sikandar Prasad Singh Son of Late Panchanand Singh Resident of Village Bania, P.S. Bhawanipur, District Bhagalpur, Presently posted as Assistant Teacher, Primary School, Sadhopur, P.S. Gopalpur, District Bhagalpur.
10. Ramakant Mishra Son of Late Badri Narayan Mishra Resident of Village Rangra, P.S. Rangra, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Rangra, P.S. Rangra, District Bhagalpur.
11. Arvind Kumar Son of Late Karu Prasad Singh Resident of Village Murli, P.S. Rangra, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Bania, P.S. Bhawanipur, District Bhagalpur.
12. Pawan Singh Son of Late Doman Singh Resident of Village Murli, P.S. Rangra, District Bhagalpur, Presently posted as Headmaster, Middle School, Madrauni, P.S. Rangra, District Bhagalpur.
13. Shankar Prasad Singh Son of Sri Saryug Prasad Singh Resident of Village Murli, P.S. Rangra, District Bhagalpur, Presently posted as Assistant Teacher, Primary School, Madrauni, P.S. Rangra, District- Bhagalpur.
14. Dinesh Prasad Singh Son of Sri Ganga Prasad Singh Resident of Village Bania, P.S. Bhawanipur, District Bhagalpur, Presently posted as Assistant



Teacher, Middle School, Bhawanipur, P.S. Bhawanipur, District Bhagalpur.

15. Ranjit Kumar Mandal Son of Sri Gopi Mandal Resident of Village Usmanpur-1, P.S. Kharik Bazar, District Bhagalpur, Presently posted as TGT, Middle School, Gorhi Tola, Babhangama, P.S. Bihpur, District Bhagalpur.
16. Uday Prasad Chourasia Son of Sri Raghunath Modi Resident of Village Barsaliganj, P.S. Mojahidpur District Bhagalpur, Presently posted as Headmaster, Middle School, Kasimpur Goradih, P.S. Goradih, District Bhagalpur.
17. Pawan Kumar Thakur Son of Late Govind Thakur Resident of Village Jahangira, P.S. Sultanganj, District Bhagalpur, Presently posted as TGT, Middle School, Masdi East, P.S. Sultanganj, District Bhagalpur.
18. Akhilesh Kumar Son of Sri Ganesh Pandit Resident of Village Tilakpur, P.S. Sultanganj, District Bhagalpur, Presently posted as Headmaster, Girls Middle School, Tilakpur, P.S. Sultanganj, District Bhagalpur.
19. Anjani Kumar Son of Late Ramawatar Mandal Resident of Village Kumarpur, P.S. Sultanganj, District Bhagalpur, presently posted as Assistant Teacher, Middle School, Wakchappar, P.S. Shahkund, District Bhagalpur.
20. Shambhu Sharan Mandal Son of Late Janardan Mandal Resident of Village Amia, P.S. Amiya, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Yamunia (Balak), P.S. Parbatta, District Bhagalpur.
21. Sunil Kumar Son of Sri Mahendra Chuniara Resident of Village Sultanpur Bhitthi, P.S. Sabour, District Bhagalpur, Presently posted as Head Master, Middle School, Mustafapur, P.S. Jagdishpur, District Bhagalpur.
22. Chakradhar Prasad Son of Sri Prayag Prasad Resident of Village Subba Nagar, P.S. Kahalgoan, District Bhagalpur, Presently posted as Headmaster, Middle School, Mayaganj, P.S. Barari, District- Bhagalpur.
23. Shyam Nandan Singh Son of Late Suresh Prasad Singh Resident of Village Auliabad, P.S. Bihpur, District Bhagalpur, Presently posted as Headmaster, Middle School, Backward Muslim Class (Urdu), Bihpur, P.S.- Bihpur, District- Bhagalpur.
24. Sumeshwar Prasad Yadav Son of Sri Mittu Prasad Yadav Resident of Village- Koili, P.S.- Jagdishpur, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Dhauri, P.S. Jagdishpur, District- Bhagalpur.
25. Ashok Kumar Yadav Son of Sri Suresh Prasad Yadav Resident of Village Deogaon P.S. Tarapur, District Munger, Presently posted as Assistant Teacher, Middle School, Belari, P.S. Sultanganj, District Bhagalpur.
26. Manoj Kumar Son of Sri Bharat Narayan Singh Resident of Mohalla Dal Mill Road, Alkapuri Colony, P.S. Mojahidpur, District Bhagalpur, Presently posted as Headmaster, Middle School, Kalgama, P.S.- Sultanganj, District Bhagalpur.
27. Brishketu Bharti Son of Late Ramjeet Mandal Resident of Village Pakkisarai, P.S. Ghogha, District Bhagalpur, Presently posted as Assistant Teacher, Rajkiya Middle School, Mayaganj, P.S. Barari District Bhagalpur.
28. Rajesh Kumar Madhukar Son of Late Shyam Sundar Jha Resident of Village



- Balkrishna Nagar, P.S.- Tilkamanjhi, District Bhagalpur, Presently posted as Assistant Teacher, Rajkiya Middle School, Mayaganj, P.S. Barari, District Bhagalpur.
29. Rajendra Prasad Yadav Son of Late Kripa Narayan Yadav Resident of Village Bakiya, P.S. Bakiya, District Katihar, Presently posted as Assistant Teacher, Middle School, Sripur, P.S. Naugachia, District Bhagalpur.
30. Sunil Kumar Singh Son of Sri Sudhir Prasad Singh Resident of Village Borwa Tola, Kadwa Diyara, P.S. Naugachia, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Sripur, P.S. Naugachia, District- Bhagalpur.
31. Chitrnanjan Prasad Singh Son of Late Basudeo Prasad Singh Resident of Village Hario, P.S. Naugachia, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Mahdattpur, P.S. Naugachia, District Bhagalpur.
32. Lalan Kumar Singh Son of Late Bharat Lal Singh Resident of Village Maa Kamakhya Nagri, Bishanpur Jichcho, P.S. Sabour, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Mayaganj, P.S. Barari, District- Bhagalpur.
33. Rajnish Kumar Son of Sri Ramchandra Paswan Resident of Village Bhawanipur, P.S.- Suryagadha, District Lakhisarai, Presently posted as Assistant Teacher, Middle School, Chandpur Shakhund, P.S. Sajour, District Bhagalpur.
34. Prabhash Chandra Suman Son of Sri Chandra Shekhar Mandal Resident of Village Itahari, P.S. Alam Nagar, District Madhepura, Presently posted as Assistant Teacher, Middle School, Malekpur, P.S. Sajour, District Bhagalpur.
35. Ram Pravesh Kumar Singh Son of Sri Rajendra Prasad Singh Resident of Village Tulsipur, P.S. Sanokhar, District Bhagalpur, Presently posted as Assistant Teacher, P.T. Middle School, Tilkamanjhi, P.S. Tilkamanjhi, District Bhagalpur.
36. Yugal Kishore Son of Sri Banarsi Mandal Resident of Village Sanokhar, P.S. Sanokhar, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Athgama, P.S. Kharik, District Bhagalpur.
37. Akhileshwar Kumar Son of Sri Ram Sundar Mandal Resident of Village Khabaspur, P.S. Khabaspur, District Bhagalpur, Presently posted as Headmaster, Middle School, Nawada, P.S. Kharik, District Bhagalpur.
38. Jagdish Chandra Das Son of Sri Jaldhar Das Resident of Village Chhoti Mehdi Pokhar, P.S. Pirpanti, District Bhagalpur, Presently posted as TGT, Government Girls Middle School, Tilkamanjhi, P.S. Tilkamanjhi, District Bhagalpur.
39. Sanjeet Kumar Mishra Son of Sri Shashi Narayan Mishra Resident of Village Bharat Khan, P.S. Bhawanipur, District Khagaria, Presently posted as Assistant Teacher, RAjkiya Mukti Middle School, Tilkamanjhi, P.S. Tilkamanjhi, District- Bhagalpur.
40. Sanjay Prasad Yadav Son of Sri Siyaram Yadav Resident of Village Latra, P.S. Gopalpur, District Bhagalpur, Presently posted as Headmaster, Jagdamba Girls Middle School, Gopalpur, P.S. Gopalpur, District Bhagalpur.



41. Akhilesh Kumar Yadvendu Son of Sri Damodar Prasad Yadav Resident of Village Bhawanipur, P.S. Rangra, District Bhagalpur, Presently posted as Headmaster, Middle School, Murli, P.S. Rangra, District Bhagalpur.
42. Abhimanyu Kumar Son of Sri Anant Yadav Resident of Village Navin Nagar Punama, Kadwa Diyara, P.S. Naugachia, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Bhawanipur, P.S. Rangra, District Bhagalpur.
43. Jitendra Kumar Son of Sri Maheshwar Prasad Yadav Resident of Village Bhawanipur, P.S. Rangra, District Bhagalpur, Presently posted as TGT, Middle School, Shah Tola Bhawanipur, P.S. Rangra, District Bhagalpur.
44. Sudhir Paswan Son of Sri Rajendra Paswan Resident of Village Bhawanipur, P.S. Rangra, District Bhagalpur, Presently posted as TGT Middle School, Madhusudanpur Baisi, P.S. Rangra, District Bhagalpur.
45. Chandra Shekhar Mandal Son of Sri Vasant Mandal Resident of Village Sadhopur, P.S. Rangra, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Bhawanipur, P.S. Rangra, District Bhagalpur.
46. Deo Nandan Yadav Son of Late Anik Lal Yadav Resident of Village Khutha, P.S. Lodipur, District Bhagalpur, Presently posted as Assistant Teacher, Middle School, Mayaganj, P.S. Barari, District Bhagalpur.
47. Chakradhar Mandal Son of Sri Jhakhru Mandal Resident of Village Sobhanpur, P.S. Amarpur, District Banka, Presently posted as Headmaster, Middle School, Ratanganj, P.S. Sajour, District Bhagalpur.
48. Awadhesh Kumar Alok Son of Late Upendra Prasad Mandal Resident of Village Kumrath, P.S. Kajraili, District Bhagalpur, Presently posted as Headmaster, Middle School, Chandrapur, P.S. Sajour, District Bhagalpur.
49. Vyomkesh Son of Sri Vijay Prasad Resident of Village Madhopur, P.S. Nathnagar, District Bhagalpur, Presently posted as Assistant Teacher, Primary School, Kolgama (Schedule Caste), P.S. Sultanganj, District Bhagalpur.
50. Sunil Kumar Singh Son of Late Brahamdeo Singh Resident of Village Rajendra Colony, Naugachia, P.S. Naugachia, District Bhagalpur, Presently posted as Headmaster, Rajkiya Middle School, Pratap Nagar, P.S. Naugachia, District Bhagalpur.
51. Shambhu Kumar Son of Sri Mohan Das Resident of Village Chhoti Khanjarpur Makbara, P.S. Barari, District Bhagalpur, Presently posted as Headmaster, Middle School, Raghopur, P.S. Kharik, District Bhagalpur.
52. Shyam Ravidas Son of Late Prasadi Ravidas Resident of Village Lattipur, P.S. Bihpur, District Bhagalpur, Presently posted as Headmaster, Middle School, Arsandih, P.S. Bihpur, District Bhagalpur.
53. Ranjan Kumar Son of Late Rajendra Prasad Resident of Village Barhauna, P.S. Haweli Kharagpur, District Munger, Presently posted as Headmaster, Middle School, Bahadurpur, P.S. Kajraili, District Bhagalpur.
54. Niwas Kumar Gandhi Son of Late Ram Nirranjan Mandal Resident of Village Karela Pandit Tola, P.S. Nath Nagar, District Bhagalpur, Presently posted as Assistant Teacher, Primary School, Rajput Tola, Gopalpur, P.S. Gopalpur, District Bhagalpur.



55. Sanjay Kumar Mishra Son of Late Jyotindra Prasad Mishra Resident of Village Rasulganj Khutha, P.S. Lodipur, District Bhagalpur, Presently posted as Headmaster, Middle School, Bangaon Khutha, P.S. Lodipur, District Bhagalpur.
56. Amit Kumar Son of Late Satyadev Mahto Resident of Village Toralpur, P.S. Suryagadha, District Lakhisarai, Presently posted as Headmaster, Middle School, Kumaitha, P.S. Bath, District Bhagalpur.
57. Pankaj Kumar Sharma Son of Sri Rajendra Prasad Sharma Resident of Village Auliyabad, P.S. Bihpur, District Bhagalpur, Presently posted as Headmaster, BAPU Middle School, Dayalpur, P.S. Bihpur, District Bhagalpur.
58. Amrendra Kumar Sharma Son of Late Bishnu Prasad Sharma Resident of Village Dumrama, P.S. Amarpur, District Banka, Presently posted as Headmaster, Middle School, Nurpur, P.S. Nurpur, District Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
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 Regional Deputy Director of Education, Bhagalpur.
6. The District Education Officer, Bhagalpur.
7. The District Programme Officer (Establishment), Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arjun Kumar, Advocate
For the Respondent/s : Mr.Madhaw Pd. Yadaw (GP-23)
Mr.Arvind Kumar, AC to GP 23

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners have approached this Court for a direction to the respondents to consider their case for grant of senior pay scale on completion of 12 years of service in the light of the Resolution of the Finance Department dated 18.12.1989.



Learned counsel for the petitioners submits that similar issue was considered in CWJC No. 6139 of 2007 vide order dated 31.3.2011 which was affirmed by LPA Court in LPA No. 756 of 2015 vide order dated 1.11.2017. Relying on the said decision of the LPA Court this Court has also disposed of CWJC No. 4747 of 2018 on 23.3.2018.

Considering the aforesaid, the present writ petition is disposed of with a direction to the respondents to consider the case of the petitioners in the light of the decision of this Court dated 31.3.2011 passed in CWJC No. 6139 of 2007 which was affirmed in LPA No. 756 of 2015 vide order dated 1.11.2017. Necessary decision in this regard must be taken by the respondents within a maximum period of 60 days from the date of receipt/production of a copy of this order and entire consequential benefits including the monetary benefits must be extended to the petitioners within a further period of 30 days from the date of such decision by the respondents.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

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