

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17891 of 2019

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1. Shanti Jaiswal, Son of Late Jiyalal Jaiswal, Resident of Mohalla- Dipnagar, P.S.- Adampur, District- Bhagalpur.
 2. Mithilesh Kumar Choudhary, Son of Late Bharatlal Choudhary, resident of Village- Hajurnagar, P.O.- Moltola, P.S.- Pirpainty, District- Bhagalpur at present Patelnagar (East tola), P.S. Kahalgaon, District- Bhagalpur.
 3. Mithilesh Kumar, Son of Shridhar Mandal, resident of Village- Gopalichak, P.O.- Moltola, P.S.- Pipainty, District- Bhagalpur.
 4. Ayush Kumar, Son of Dheneshwar Prasad, resident of Village- Subbanagar, P.S.- Buddhuchak, District- Bhagalpur.
 5. Bijendra Kumar Choudhary, Son of Sri Ganga Prasad Choudhary, resident of Village- Hajurnagar, P.S.- Pirpainty, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its the Principal Secretary of the Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary of the Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Bhagalpur, District- Bhagalpur.
5. The District Education Officer, Bhagalpur, District- Bhagalpur.
6. The District Programme Officer, (Establishment), Bhagalpur, District- Bhagalpur.
7. The District Account Officer, Bhagalpur, District- Bhagalpur.
8. The District Treasury Officer, Bhagalpur, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Gupta
For the State	:	Mr. Ram Vinay Prasad Singh, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 03-09-2019 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The issue raised in the present writ application is no more res integra. In Ram Ashish Tiwari case the Co-ordinate Bench of this Court has decided similar issue in C.W.J.C. No. 6139 of 2007 vide order dated 31.03.2011 and the matter is



taken to the LPA Court in LPA No. 756 of 2015 and the LPA Court approved the decision of the Single Judge in C.W.J.C. No. 6139 of 2007.

Notwithstanding the fact that the matter was approved by the LPA Court and the SLP preferred against the decision of the LPA Court was also dismissed. The respondents have not granted the benefit of senior scale to the petitioner as yet.

Considering the aforesaid, the present writ application is disposed of with a direction to the respondent to take appropriate decision with regard to the claim of the petitioner in light of decision in C.W.J.C. NO. 6139 of 2007 which was approved by the LPA Court in LPA No. 756 of 2015.

Necessary decision in this regard shall be taken by the respondents at the earliest preferably within a period of 60 days from the date of receipt/production of a copy of this order with all consequential benefits.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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