

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17304 of 2019**

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1. Shiv Shankar Prasad Son of Late Ram Prasad Lall Resident of Village- Bankipur Gorakh, Police Station- Fatuha, District- Patna. At present posted and working as an Assistant Teacher in Govt. Middle School Navin Bharti Vidya Mandir, Block-Fatuha, District- Patna
2. Rajni Kant Singh Son of Late Basudeo Singh Resident of Village- Tope, Police Station- Shahjahanpur, District- Patna. At present posted and working as a trained graduate teacher in Govt. Middle School Sonaru, Block-Fatuha, District- Patna
3. Rajesh Kumar Son of Late Jhari Yadav Resident of Village- Anandpur, Police Station- Laxmipur, District- Jamui. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Maksudpur, Block-Fatuha, District- Patna
4. Manoj Kumar Pandey Son of Late Srikant Pandey Resident of Village- Doma, Police Station- Salimpur (Bakhtiyarpur), District- . At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Buddhuchak, Block-Fatuha, District- Patna
5. Vivekanand Sharma Son of Sri Alakhdeo Sharma Resident of Village- Nauranga, Police Station- Bind, District- Nalanda. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Navin Bharti Vidya Mandir, Block-Fatuha, District- Patna
6. Shambhu Kumar Son of Late Baso Lal Resident of Village- Mogal Pura Gosai Ka Baag, Patna City, Police Station- Khajekalan, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Navin Bharti Vidya Mandir, Block-Fatuha, District- Patna
7. Satyendra Kumar Son of Late Kamta Prasad Singh Resident of Village- Masaurha, Police Station- Paliganj, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Sadahpura, Block-Fatuha, District- Patna
8. Kapildeo Prasad Son of ram Lakhan Gope Resident of Village- Kalyanpur, Police Station- Fatuha, District- Patna. At present posted and working as an Assistant Teacher in Govt. Primary School Nohta, Block-Fatuha, District- Patna
9. Suresh Kumar Das Son of Late Laxmi Narayan Das Resident of Mohalla- Simli Sahadra, Ramdhani Road, P.O. and P.s.- Malsalmi, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Rasalpur, Block-Fatuha, District- Patna
10. Ravi Ranjan Gupta Son of Shri Harilal Resident of Village- Chakhussain, Police Station- Khusrupur, District- Patna. At present posted and working as an Assistant Teacher in Govt. Middle School Navin Bharti Vidya Mandir, Block-Fatuha, District- Patna
11. Mahendra Paswan Son of Girija Nandan Paswan Resident of Village- Narawan, Police Station- Fatuha, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Sukulpur, Block-Fatuha, District- Patna



12. Vrind Chaudhary S/o Late Ram Lakhan Chaudhary Resident of Village- Piroja Ekangarsarai, Police Station- Ekangar Sarai, District- Nalanda. At present posted and working as an Assistant Teacher in Govt. Middle School Dumri, Block-Fatuha, District- Patna
13. Uday Kumar Son of Shri Mahendra Ram Resident of Village- Kayampur Dih, Police Station- Khusrupur, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Netear, Block-Khusrupur, District- Patna
14. Kamal Nayan Son of Late Rajendra Prasad Gupta Resident of Mohalla- Sawarchak Hata, Police Station- Malsalami, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Arai Benipur, Block-Khusrupur, District- Patna
15. Sushil Kumar Son of Late Chandeshwar Prasad Vishwakarma Resident of Mohalla- Dumra, Raja Bazar, Police Station- Shastri Nagar, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Mirnagar, Block-Khusrupur, District- Patna
16. Sadhu Paswan Son of Kedar Paswan Resident of Village- Bardih, Police Station- Islampur, District- Nalanda. At present posted and working as an Assistant Teacher in Govt. Primary School Katauna, Block-Khusrupur, District- Patna
17. Devendra Nath Vidyarthi Son of Late Kashi Nath Prasad Resident of Mohalla - Devichak, near - D.S.P. quarter Fatuha, Police Station- Fatuha, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Khusrupur, Block-Khusrupur, District- Patna
18. Ganesh Kumar Mahto Son of Late Mahavir Mahto Resident of Mohalla- Nakhas Pind (Om Colony), Police Station- Malsalami, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Baikatpur Tola, Block-Khusrupur, District- Patna
19. Ramesh Prasad Son of Nageshwar Prasad Resident of Mohalla- Vishnupuri, Police Station- Gardanibagh, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Addilpur (SC), Block-Khusrupur, District- Patna
20. Manoj Kumar Son of Dularchand Choudhary Resident of Village- Kurtha, Police Station- Khusrupur, District- Patna. At present posted and working as an Assistant Teacher in Govt. Primary School Fulwariya, Block-Khusrupur, District- Patna
21. Kumar Sachin Son of Umesh Prasad Resident of Village- Chodhi, Police Station- Barh, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Alawalpur, Block-Khusrupur, District- Patna
22. Prem Chand Kumar Son of Tori Das Resident of Village- Bhachhiyar, Police Station- Jamui, District- Jamui. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Mirnagar, Block-Khusrupur, District- Patna
23. Shiv Kumar Lal Son of Shri Hari Lal Resident of Village- Chak Hussain, Police Station- Khusrupur, District- Patna. At present posted and working as



- Trained Graduate Teacher in Govt. Upgraded Middle School Hemjapur, Block-Khusrupur, District- Patna
24. Jitendra Kumar Son of Sri Gopal Prasad Resident of Mohalla- Quarther No. 15, Type-II, P and T Colony, Kidwaipuri, Patna, Police Station- Kotwali, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Khusrupur, Block-Khusrupur, District- Patna
  25. Gopalachari Son of Late Rampadarath Singh Resident of Village- and P.O.- Majhauli, Police Station- Bakhtiyarpur, District- Patna. At present posted and working as an Assistant Teacher in Govt. Primary School Lodipur (Hindi) Khusrupur, Block-Khusrupur, District- Patna
  26. Ranvijay Kumar Son of Virendra Singh Resident of Mohalla- Trilok Nagar, Police Station- Agamkuan, District- Patna. At present posted and working as an Assistant Teacher in Govt. Primary School Chakpitambarpur, Block-Khusrupur, District- Patna
  27. Vinod Kumar Singh Son of Ram Baran Singh Resident of Mohalla- Sakunat Road, Biharsharif, Krishnapuri Khandakpar, Police Station- Biharsharif, District- Patna. At present posted and working as an Assistant Teacher in Govt. Middle School Dariyapur, Block-Fatuha, District- Patna
  28. Rao Ranvijay Singh S/o Ram Bilas Singh Resident of Village- Malikpur, Police Station- Dhanarua, District- Patna. At present posted and working as an Assistant Teacher in Govt. Middle School Hardasbigha, Block-Khusrupur, District- Patna
  29. Suresh Chaudhary Son of Late Yugeshwar Chaudhary Resident of Village- Abbu Mahmaddpur, Police Station- Bakhtiyarpur, District- Patna. At present posted and working as an Assistant Teacher in Govt. Primary School Akashwan Jethuli, Block-Fatuha, District- Patna
  30. Sunil Kumar Chaudhary Son of Late Yugeshwar Chaudhary Resident of Village- Abbu Mahmaddpur, Police Station- Bakhtiyarpur, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Barah, Block-Belchhi, District- Patna
  31. Shashi Bhushan Prasun Son of Satyanarayan Poddar Resident of Mohalla- Lohia Nagar, Ward No. 15(in front of Khagaria Block Office), Police Station- Chitragupta Nagar Khagaria, District- Khagaria. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Macchariyawan, Block-Daniyawan, District- Patna
  32. Amitabh Ranjan Son of Late Dr. Bajendra Mohan Prasad Resident of A/47, Shantipuram, behind R.P.S. Mahila College, Bailey Road, Police Station- Rupaspur, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Hanumanchak Simra, Block-Phulwarisharif, District- Patna
  33. Sunil Kumar Son of Ramsweak Prasad Resident of Mohalla- Chiktoli, Mangal Talab Patna City , Police Station- Chowk, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Pravinchak, Block-Daniyawan, District- Patna
  34. Vijyanand Madhukar Son of Yugal Kishor Singh Resident of Village- Bhuapur, Police Station- Bakhtiyarpur, District- Patna. At present posted and



working as an Assistant Teacher in Govt. Vyapar mandal Kanya Middle School , Block-Fatuha, District- Patna

35. Anil Kumar Pal Son of Late Jayanandan Prasad Resident of Village- Nanmuhia Tripolia, Police Station- Alamganj, District- Patna. At present posted and working as an Assistant Teacher in Govt. Primary School Daulatpurdih, Block-Fatuha, District- Patna
36. Krishna Paswan Son of Late Kishori Paswan Resident of Village- Murera, Police Station- Fatuha, District- Patna. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Mohiddinpur, Block-Fatuha, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary-cum-Principal Secretary Education Department, Govt. of Bihar, Patna
3. The Principal Secretary Finance Department, Govt. of Bihar, Patna
4. The Director Primary Education, Govt. of Bihar, Patna
5. The District Education Officer Distt.- Patna
6. The District Programme Officer (Establishment) Distt.- Patna
7. The Block Education Officer Fatuha, Distt.- Patna
8. The Block Education Officer Khusrupur, Distt.- Patna
9. The Block Education Officer Belchhi, Distt.- Patna
10. The District Accounts Officer Patna
11. The District Treasury Officer Patna

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Kumar Mishra  
For the Respondent/s : Mr.Subhash Chandra Mishra (Sc16)

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      26-08-2019                      The grievance of the petitioners in the instant case is grant of senior scale on continuation working for a period of 12 years.

The issue raised in the present writ application is no more res integra.



The writ court in C.W.J.C. No. 6139 of 2007 has occasion to decide the issue which was affirmed by the LPA Court in LPA No. 756 of 2015 and even SLP against the decision of the LPA Court was dismissed.

In view of the above, the writ petition is disposed of with a direction to the respondents to consider the case of the petitioners for grant of similar benefit to the petitioners if the case of the petitioners is found similar to the petitioners in C.W.J.C. No. 6139 of 2007.

Necessary decision in this regard must be taken by the respondents within a period of three months from the date of receipt/production of a copy of this order with all consequential benefits.

With the aforesaid, the writ application stands disposed of.

**(Anil Kumar Upadhyay, J)**

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