

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5464 of 2018

1. Rambachan Yadav Son of Sri Chandeshwar Yadav, at the resident of village- Madeshilapur West Tola, Police Station- Aaunder, District- Siwan.
2. Prabhakar Yadav, Son of Bholanath Yadav, at the resident of Village- Mirpur, Police Station Raghunathpur, District- Siwan.
3. Surendra Yadav, Son of Sri Lalchand Yadav, at the Resident of Village- Tarila, Police Station- M.S. Nagar, Hasanpura, District- Siwan.
4. Amarnath Ram, Son of Sri Khakhanu Ram, at the resident of village- Hathaura, Police Station- Husainganj, District- Siwan.
5. Jawed Alam, Son of Late Noorul Hoda, At the resident of Village- Makhdum Sarai, East Tola, P.S. Siwan, District- Siwan.
6. Naqui Imam, Son of Sri Abu Mahammed, at the resident of Village- Mahpur, Police Station- Hussainganj, District- Siwan.
7. Md. Ehsanul Haque Noorie, Son of Late Md. Ayub Ansari, at the Resident of Village- Madkan, Police Station- Husainganj, District- Siwan.
8. Saudagar Ram, son of Late Dinanath Ram, at the resident of village- Rafipur, Police Station- Husainganj, District- Siwan.
9. Harendra Sharma, Son of Late Tanna Sharma, at the resident of Village- Makhanupur Mathia, Police Station- O.P. Sarai, Siwan, District- Siwan.
10. Sunil Kumar Gupta, Son of Sir Ramchandra Prasad, at the resident of Village- Purani Kila, Baniya Toli, Police Station- Siwan, District- Siwan.
11. Shahabuddin, Son of Sir Aajeemuddin Ansari, at the resident of village- Harihaus, Police Station- Husainganj, District- Siwan.
12. Md. Anwar Alam, Son of Md. Idris, at the resident of village- Miyan Ka Matakan, Police Station- Siwan, District- Siwan.
13. Khush Mohammad Ansari, Son of Sri Shahid Ansari, at the resident of Village- Mahammadpur Pati, P.S.- G.B. Nagar Talwara, District- Siwan.
14. Yasmin Bano, Son of Late Noorul Hoda, at the resident of village- Rampur, P.S. Muffasil, Siwan, District- Siwan.
15. Nazir Hussain, Son of Sri Makka Miyan, at the resident of Village Manichhapara, P.S.- Ekama, District- Siwan.
16. Azamat Ali Khan, Son of Sri Kabir Ali Khan, at the Resident of Village- Nizampur, P.S.- Hasanpura, District- Siwan.
17. Md. Sharfuddin Ansari, Son of Late Noor Mohammad Ansari, at the resident of Village- Gopalpur P.S.- Husainganj, District- Siwan.
18. Kapildeo Harijan Son of Late Babulal Harizan, at the resident of Village- Harpur Kotawa, P.S. M.N. Nagar Hasanpura, District- Siwan.
19. Brija Lal Manjhi, Son of Sri Munshi Manjhi, at the resident of Village- Bararam, P.S. Hussainganj, District- Siwan.
20. Hare Krishna Singh, Son of Late Ramashankar Singh, at the resident of Village- Gaura, P.S. Aandar, District- Siwan.



21. Kashinath Prasad, Son of Sri Sudama Sah, at the resident of village- Devpur, P.S.- Raghunathpur, District- Siwan.
22. Hare Krishna Yadav, Son of Late Ramadhar Yadav, at the resident of village- Merahi, P.S.- Raghunathpur, District- Siwan.
23. Shiv Kumar Manjhi, Son of Late Dev Sharan Manjhi, at the resident of Village Majhwalia, P.S.- Asawan, District- Siwan.
24. Bashir Ahmad Khan, Son of Late Sandal Khan, at the resident of village- Nizampur, P.S.- M.S. Nagar, Hasanpura, District- Siwan.
25. Masoom Raza, Son of Late Md. Umar, at the resident of village- Hari Haus, P.S.- Hussainganj, District- Siwan.
26. Sanjay Kumar Sinha, Son of Late Bijeshwar Prasad, at the resident of village- Hasanpurawa, P.S.- Hussainganj, District- Siwan.
27. Zeyaur Rahman, Son of Late Mohammad Mahfooz, at the resident of Village- Benusar Bujurg, P.S.- Siwan, District- Siwan.

... .. 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, Saran Division, Chhapara.
6. The District Education Officer, Siwan.
7. The District Programme Officer Establishment, Siwan.
8. The Drawing and Disbursing Officer-cum- the Headmasters (related school of Petitioners), Siwan
9. The Treasury Officer, Siwan.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Kumar Ranjit Ranjan, Advocate
For the Respondent/s : Mr. Samir Kumar, AC to SC-16

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 25-06-2019 Heard learned counsel for the petitioners and the respondents.

2. The grievance of the petitioners in the present writ petitioners is non-consideration of their cases for grant of promotion under 1993 Promotion Rules.



3. Learned counsel for the petitioners submits that the respondents are sitting tight over the matter and they have not taken any decision with regard to the claim of the petitioners in terms of 1993 Promotion Rules.

4. Considering the indecisiveness on the part of the respondents, the writ application is disposed of with a direction to the respondents to examine the claim of the petitioners in the light of 1993 Promotion Rules and the decision of this Court in similar cases as to grant of senior pay scale on completion of 12 years of service.

5. Necessary decision on the claim of the petitioners for grant of senior pay scale on completion of 12 years may be taken by the respondents within a period of three months from the date of receipt/production of a copy of this order.

6. It is made clear that the decision as to grant of senior pay scale will carry the monetary benefits as well and shall be applicable from the date of completion of 12 years from the date of entitlement in terms of 1993 Promotion Rules

7. With the aforesaid, this application stands disposed of.

(Anil Kumar Upadhyay, J)

uday/-

U			
---	--	--	--

