

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21019 of 2019

1. Bansidhar Brajwasi Son of Nand Kishore Sahni, Resident of Village- Raksha (South), Via- Kanti, P.S. Kanti, District- Muzaffarpur at Present Posted as Panchyat Teacher, Upgraded Middle School Raksha (East), Block- Marwan, District- Muzaffarpur.
2. Ashok Kumar Prasad, Son of Bhola Choudhary, Resident of Village- Godaghat, Jaisinghpur, P.S. Turkauliya, P.O. Jaisinghpur, District- East Champaran at Present Posted as Panchayat Teacher, Primary School Naurahi, Block- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar.
3. The Principal Secretary, Education Department, Bihar, Patna.
4. The Director, Primary Education, Education Department, Bihar, Patna.
5. The Director, State Council of Educational Research, Bihar, Patna.
6. The Chairman, Bihar School Examination Board, Patna.
7. The Secretary, Bihar School Examination Board, Patna.
8. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
9. The District Education Officer, District- Muzaffarpur.
10. The District Education Officer, District- West Champaran.
11. The District Programme Officer, Establishment, District- Muzaffarpur.
12. The District Programme Officer, Establishment, District- West Champaran.
13. The District Programme Officer, SSA, District- Muzaffarpur.
14. District Programme Officer, SSA, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Nalin Kumar
For the State	:	Mr. Arvind Kumar AC to GP23
For the Board	:	M/s Namrata Mishra & Archana Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 25-11-2019 Mrs. Namrata Mishra filed counter affidavit on behalf

the Bihar School Examination Board. Let the same be kept on

record.



Heard both sides.

The petitioners filed this writ petition for following reliefs:-

“(i) For issuance of writ in appropriate nature for commanding the respondent authorities especially the respondent No. 6 & 7 to issue the Mark-sheet of the Diploma in Elementary Education (Open Distance Learning) Session-2013-15 conducted by the Bihar School Examination Board, Patna

(ii) For commanding the respondent authorities to grant Basic Grade Trained Scale and other consequential benefits to the petitioner with effect from the completion of the course D.El.ED (ODL) Session 2013-15 conducted by the BSEB.

(iii) For commanding the respondent authorities to grant all consequential benefits like monetary benefits, seniority etc. with effect from the completion of the 2 year duration of course D.El. ED (ODL), Session-2013-15 conducted by the BSEB.

(iv) For commanding the respondent authorities to release the consequential due arrears with effect from the completion of the course of D.El. Ed (ODL) Session 2013-15 conducted by the BSEF to till date.

(v) Any other relief/ reliefs that the petitioners may be found to be entitled to in the facts and circumstances of the present case”.

The learned counsel for the petitioners submits that result has already been published and marks sheet are being issued to the examinees appeared in the examination. It is submitted that petitioners completed the training programme in the year 2017 but the result was declared belatedly. It is submitted that increment should be granted to the petitioners immediately after completion of academic year 2013-15. The course was completed in the year 2017, the examination was



held in November, 2018 and thereafter the result was published. Some of the teachers filed CWJC No. 16165 of 2019 and this court by order dated 09.08.2019 disposed of the writ petition with direction to the Director, Primary Education to consider the case of those petitioners for grant of increment and other benefits from the date of completion of their training as there were no lapses on the part of the teachers who were sent for training course but even after completion of training the examination was not held immediately and result was also not published in time.

Having considered the submissions of both sides, I dispose of this writ petition with a direction to the Director, Primary Education to consider the case of the petitioners also in the light of direction given by this court in CWJC No. 16165 of 2019 and grant all consequential benefits after completion of training course, in accordance with law.

With the aforesaid direction, this writ petition stands disposed of.

(Prabhat Kumar Jha, J)

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