

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21145 of 2019

1. Suresh Prasad Singh, Son of Late Ganga Singh, resident of Village Kamta, P.S. and District Sheikhpura.
2. Giridhar Narayan Singh, Son of Late Jagdeo Prasad Singh, resident of Vilalge Pirhinda P.S. Sikandra District Jamui.
3. Bindeshwari Tiwari, Son of Late Mahadeo Tiwari, resident of Vilalge Aijhi P.S. Korma District Sheikhpura.
4. Nawal Kishore Singh, Son of Late Girija Nandan Singh, resident of Vilalge Samas Khurd, P.s. Barbiga, District Sheikhpura.
5. Ramjanam Paswan, Son of Late Pyare Paswan, resident of Vilalge Faridpur, P.s. and District Sheikhpura.
6. Jainarayan Das, Son of Late Kali Das, resident of Mohalla - Ahiyapur, P.S. and District Sheikhpura.
7. Dasharath Kishore, Son of Late Hari Mahto, resident of Village Raundi P.S. Ariyari, District Sheikhpura.
8. Amrit Prasad, Son of Late Jagan Prasad, resident of Village Chandi P.S. Ariyari District Sheikhpura.
9. Dhani Chand Mochi, Son of Late Gaya Das, resident of Village Pain, P.S. and District Sheikhpura.
10. Suresh Das, Son of Late Munsi Das, resident of Village Pachmahua, P.s. Sikandra District Jamui.
11. Ishwar Prasad Mahto, Son of Chhatardhari Mahto, resident of Mohalla Fatehpura, P.S. Sikandra District Jamui.
12. Uma Shankar Mishra, Son of Late Sitaram Mishra, resident of Village Lohanda P.S. Sikandra District Jamui.
13. Maheshwari Prasad Singh, Son of late Deoki Prasad Singh, resident of Village Baruna P.S. Ariyari District Sheikhpura.
14. Rabindra Prasad Sharma, Son of Late Rajkumar Singh, resident of Village Ghongsa P.S. Halsi District Lakhisarai.
15. Nand Kishore Singh, Son of Ishwardhari Prasad Singh, resident of Village Jhiyoura P.S. and District Lakhisarai.
16. Md. Aqueil Ahmad, Son of Late Sharfuddin Ahmad, resident of Village Nabinagar Kakrar P.s. Ariyari District Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Magistrate-cum-Chairman District Promotion Committee jamui District- Jamui.



5. The District Education Officer, Jamui.
6. The District Programme officer, (Establishment) Jamui.
7. The Accountant General, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Respondent/s : Mr. Umesh Narayan Dubey, AC to GP27)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 25-11-2019 Heard both sides.

The petitioners filed this writ petition for following
reliefs:-

“(i) for issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondent authorities to grant benefit of second A.C.P. after completion of 24 years of service to the petitioners pursuant to Primary Teachers Promotion Rules, 2011 contained in resolution No. 940 dated 01.09.2011 with effect from the date as and when petitioners have completed 24 years of their respective service.

(ii) further for direction to the respondent authorities to revise their pension accordingly.

(iii) further for direction to the respondent authorities to pay the arrears of salary as well as arrears of pension and current pension at revised pay scale after grant of benefit of second A.C.P.

(iv) further for direction to the respondent authorities to pay the revised pay scale to the petitioners pursuant to letter No. 892 dated 07.12.2018 which is payable w.e.f. 01.04.2007.

(v) further for issuance of any other writ/ writs/ order/ orders, direction/ directions for which petitioners shall be found entitled under the facts and circumstances of the case as stated herein below under principal of equitable justice”.

The learned counsel for the petitioners submits that
petitioners are entitled to get second A.C.P. as the juniors to the
petitioners have already been granted second A.C.P. The



petitioners have already filed representation (Annexure-5) before the D.P.O. (Estb), Jamui through registered post.

The learned counsel for the State submits that representation of the petitioners first may be directed to be disposed of.

Having considered the submissions and prayer made by the petitioners, this writ petition is disposed of with a direction to the petitioners to file a fresh representation before the District Programme Officer (Estb.), Jamui stating their grievance within one month and thereafter the District Programme Officer (Estb.), Jamui shall dispose of the representation of the petitioners by a reasoned order within three months.

With this direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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