

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1067 of 2019

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The District Primary Teacher Union, through its Principal Secretary,
Satyendra Kuamr Suman, son of Late Nagendra Prasad Yadav at present
Resident at Shashtri Chowk, Sri Nagar Road, Purnea, P.S.+District-Purnea

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources
Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resources Development Department,
Govt. of Bihar, Patna
3. The Director, Primary Education, Govt. of Bihar, Patna
4. The Regional Deputy Director, Koshi Division, Saharsa
5. The District Education Officer, Purnea, District Purnea
6. The District Programme Officer (Establishment), Purnea, District-
Purnea
7. The District Account Officer, Bhagalpur, District-Bhagalpur
8. The District Treasury Officer, Bhagalpur, District-Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Respondent/s : Mr.Ashutosh Ranjan Pandey- Aag15

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 21-02-2019

The present writ petition has been filed by the District
Primary Teacher Union, Purnea with a prayer to direct the
respondents to pay the senior pay scale within the district of
Purnea, who have completed 12 years service with effect from
their initial date of appointment inasmuch as they have passed



teacher training examination as also have prayed for grant of consequential benefits.

2. The learned counsel for the petitioner submits that the members of the petitioner-union are covered by a judgment passed by the learned Division Bench dated 16.08.2017 in L.P.A. No. 756 of 2015 (*The State of Bihar & Ors. vs. Ram Ashis Tiwari & Anr.*).

3. Per contra, the learned counsel for the respondent-State submits that the members of the said Union may file representation before the Respondent No. 6 i.e. the District Programme Officer (Establishment), Purnea, who shall decide the case of the petitioner.

3. Having regard to the facts and circumstances of the case, the present writ petition is disposed of with liberty to the individual members of the petitioner union to file representation separately before the Respondent No. 6 within a period of four weeks from today, which shall be disposed of by the Respondent No. 6 within a period of eight weeks thereafter and in case, it is found that the case of the individual employees, who have filed representation, is similar to the case of the respondents of the aforesaid judgment dated 16.08.2017, similar relief would be given to them within a period of four weeks thereupon.



4. The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

ajay gupta/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.03.2019
Transmission Date	NA

