

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1468 of 2020**

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1. Abuzar @ Md. Abuzar Son of Abdur Rauf, Resident of Village-Lahsa, P.S. Mansahi, District-Katihar, presently working as Panchayat Teacher at Primary School, Siyalpara under Gram Panchayat Raj, Bhimiyal, Block-Balrampur, District-Katihar.
2. Md. Mahbub Alam @ Mahboob Alam, Son of Md. Yahya, Resident of Village-Olipur (Fatehnagar), P.S. Manihari, District-Katihar, presently working as Panchayat Teacher at Primary School, Sahjana under Gram Panchayat Raj, Chouni, Block-Kadwa, District-Katihar.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department (Primary Education), Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Director, Council of Educational Research and Training, Bihar, Patna.
4. The District Magistrate, Katihar.
5. The District Education Officer, Katihar.
6. The District Programme Officer (Establishment), Education Department, Katihar.
7. The Block Education Officer, Balrampur Block, Katihar.
8. The Panchayat Secretary, Gram Panchayat Raj, Bhimiyal, Block-Balrampur, District-Katihar.
9. The Mukhiya, Gram Panchayat Raj, Bhimiyal, Block-Balrampur, District-Katihar.
10. The Block Education Officer, Kadwa Block, Katihar.
11. The Panchayat Secretary, Gram Panchayat Raj, Chowki, Kadwa Block, District-Katihar.
12. The Mukhiya, Gram Panchayat Raj Chowki, Kadwa Block, District-Katihar.
13. The Principal, Block Education and Training Institute (BITE), Musapur, District-Katihar.

... .. Respondents

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**Appearance :**

For the Petitioners : Mr.Jibendra Mishra, Advocate  
For the Respondents : AC to SC 13

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

**Date : 18-02-2020**

Heard learned counsel appearing on behalf of the



petitioners and learned counsel appearing on behalf of the State.

The grievance of the petitioners in the present writ application is discrimination in the matter of grant of salary for the period they were undergoing training.

Learned counsel for the petitioners submits that as per policy decision of the respondents, the petitioners were sent for in-service training in Council of Educational Research and Training, Bihar, Patna. Similarly circumstanced teachers have been paid their salary of the period of training but the petitioners were discriminated.

Considering the aforesaid, the writ application is disposed of with a direction to the District Education Officer, Katihar (Respondent No. 5), who shall be under obligation to verify the claim of the petitioners, who have undergone in-service training and if similarly circumstanced teachers in other districts have completed in-service training and their salary during the aforesaid period of training has been paid, the same benefits should also be granted to the petitioners. In this regard appropriate decision shall be taken in accordance with law within a period of four weeks from the date of receipt/production of a copy of this judgment.

So far as the grievance of the petitioners for not



sending the absentee report is concerned, they may approach the District Education Officer, Katihar who shall look into the matter for sending absentee report and take appropriate decision within time frame as indicated above.

With the aforesaid, the present writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

BT/-

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