

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1233 of 2020

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Raghunath Ray, aged about 47 years (Male), son of Late Kapileshwar Ray, resident of village- Singiyahi, P.O.- Hardiya, P.S.- Pupri, District- Sitamarhi at present posted as Assistant Teacher in Prathmik Vidyalay Samhauli, P.S.- Pupri, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through Principal secretary, Human Resources, Government of Bihar, Patna.
2. Director, Primary Education, New Secretariat, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Muzaffarpur, District- Muzaffarpur.
4. The District Education Officer, Sitamarhi.
5. The District Programme Officer (Establishment), Sitamarhi.
6. Block Education Officer, Pupri, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Girjanand Prasad
For the Respondent/s : Mr.Madhaw Prasad Yadaw (Gp23)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-01-2020 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

The petitioner in this writ petition seeks direction to the respondent authorities to grant Trained Assistant Teacher Scale to the petitioner upon completion of three years from the date of his joining.

The petitioner was appointed as Matric Untrained Teacher on compassionate ground on 29.10.1997 in Primary School, Singarahiya, Block Bathanaha, District Sitamarhi. The



petitioner is presently posted as Assistant Teacher in Primary School, Samahauli, P.S. Pupri, District Sitamarhi. In the appointment letter itself there was a direction that the petitioner had to complete his training course within three years from his appointment but the respondent authorities did not send the petitioner for in-service training and the petitioner consequently did not get in-service training in time. The petitioner appeared in Primary Teachers Training Examination in the session 1999-2000 but the result was published only in the month of November, 2009 and the respondent granted Trained Teachers Scale to the petitioner w.e.f. 04.11.2019 whereas the petitioner is entitled to get the trained scale after completion of three years of his service as Assistant Teacher because it was the respondents who did not send the petitioner for in-service training. It is further submitted that on the same facts, a Bench of this Court in CWJC No.7322 of 2017 directed the respondents to consider the case of the petitioner for grant of Matric Trained Scale on completion of three years from the date of his joining as the petitioner cannot be denied the benefit of scale trained if the respondents did not send him for in-service training within three years from the date of his joining and pass necessary order in accordance with law.



Having considered the submissions, I dispose of this writ petition with a direction to the respondents to consider the case of the petitioner in the light of the directions given by this Court in CWJC No.7322 of 2017 and dispose of the representation of the petitioner within two months from the date of receipt of this order.

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

(Prabhat Kumar Jha, J)

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