

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2001 of 2020

1. Jay Prakash Tiwary @ Jai Prakash Tiwari, Son of Sri Yogendra Tiwari, Resident of Village and P.O.- Asahani, P.S.- Rasulpur, District- Saran at Chapra.
2. Punam Kumari, Wife of Sri Janardan Yadav, Resident of village- Dhanadih, P.O.- Yogiya, P.S.- Rasulpur, District- Saran at Chapra.
3. Shahina Praveen, Wife of Moinul Haque, Resident of Village - Gaisihata, P.O.- Mirganj, P.S.- Barhariya, District- Siwan.
4. Noorun Nesha, Wife of Safdar Raza, Resident of Village- Mahuval, P.O.- Barham, P.S.- Hussenganj, District- Siwan.
5. Ayub Ali, Son of Sabir Hussain, Resident of Village and P.O.- Brindavan, P.S. and District- Gopalganj.
6. Ajameri Khatoon, Wife of Matbar Hussain, Resident of Village and P.O.- Nachap, P.S. Manjhi, District- Saran at Chapra.
7. Umesh Kumar Thakur, Son of Sri Raj Kumar Thakur, Resident of Village- Mahuin, P.O.- Bigaha (Yogia), P.S. Manjhi, District- Saran at Chapra.
8. Raj Mohammad Ansari, Son of Khush Mohammad Ansari, Resident of Village- Mahuin, P.O.- Bigaha (Yogia), P.S. Manjhi, District- Saran at Chapra.
9. Nizamuddin Ansari, Son of Umat Miyan, Resident of Village- Mahuin, P.O.- Bigaha (Yogia), P.S. Manjhi, District- Saran at Chapra.
10. Anjula Rani, Wife of Sri Chandra Shekhar Prasad, Resident of Village and P.O.- Yogiya, P.S. Rasulpur, District- Saran at Chapra.
11. Shailesh Kumar Singh, Son of Sri Hari Narayan Singh, Resident of Village- Karnpura, P.O.- Aamdarhi, P.S. Ekma, District- Saran at Chapra.
12. Mohammad Wazir, Son of Murtaza Ali, Resident of Village 7 P.O.- Chainpur, P.S.- Siswan, District- Siwan.
13. Mansoor Alam, Son of Md. Lukman, Resident of Village- Siswan Bujurg, P.O. and P.S.- Daudpur, District- Saran at Chapra.
14. Haidar Ali, Son of Zulfikar Ali Ansari, Resident of Village- Jaitiya, P.O.- Khajuhatti, P.S. and District- Saran at Chapra.
15. Raju Khatoon, Wife of Akbar Ali, Resident of Village and P.O.- Rasoolpur, P.S. Rasoolpur, District- Saran at Chapra.
16. Sadiya Khatoon, Daughter of Mohammad Hussain, Resident of Village and P.O. Nachap, P.S. Manjhi, District- Saran at Chapra.
17. Anju Kumari, Wife of Sri Sanjay Kumar Nagar, Resident of Village and P.O.- Bigahan, P.S. Manjhi, District- Saran at Chapra.
18. Khushbun Nisha, Wife of Ali Hassan, Resident of Village- Sigahi, P.O.- Mohammadpur, P.S. Manjhi, District- Saran at Chapra.
19. Yusuf Imam Hussain, Son of Anwar Ali, Resident of Village- Rampur, P.O.- Chainpur, P.S. Siswan, District- Siwan.
20. Naimullah Ahmad, Son of Gulam Kadir, Resident of Village and P.O.



Daraunda, P.S.- Daraunda, District- Siwan.

21. Chand Mohammad, Son of Abdul Gafoor Ansari, Resident of Village- Jaitiyan, P.O.- Khajuhatti, P.S. and District- Saran.
22. Kumari Sarita, Wife of Sri Vishwakarma, Resident of Village and P.O.- Rohar, P.S. Rasoolpur, District- Saran at Chapra.
23. Sri Niwas Yadav, Son of Late Bhoj Yadav, Resident of Village and P.O.- Narwan, P.S. Manjhi, District- Saran at Chapra.
24. Md. Sagir Ansari, Son of Md. Hasan Ansari, Resident of Village- Sri Rampur, P.O.- Mohammadpur, P.S. Manjhi, District- Saran at Chapra.
25. Rekha Kumari, Wife of Sri Saroj Kumar, Resident of Village- Mahuin, P.O.- Bigaha, P.S. Manjhi, District- Saran at Chapra.
26. Manju Kumari Sah, Wife of Sri Pramod Kumar Sah, Resident of Village- Tesuar, P.O.- Dohar, P.S.- Rasoolpur, District- Saran at Chapra.
27. Ajmal Hussain, Son of Eid Mohammad, Resident of Aashi Nagar, Gali No. 3, Naya Quilla, P.S. and District- Siwan.
28. Arun Kumar Das, Son of Late Ganesh Ram Kannauj, Resident of Village- Sri Rampur, P.O.- Mohammadpur, P.S. Manjhi, District- Saran at Chapra.
29. Sumit Kumar, Son of Sri Mahesh Yadav, Resident of Village and P.O. Dumri, P.S. - Manjhi, District- Saran at Chapra.
30. Javed Usmani, Son of Abdul Hannan, Resident of Village and P.O.- Dumri, P.S. Manjhi, District- Saran at Chapra.
31. Amit Kumar Prabhat, Son of Sri Kanhaiya Baitha, Resident of Village and P.O.- Bangra, P.S. - Daudpur, District- Saran at Chapra.
32. Chandra Shekhar Singh, Son of Sri Janak Singh, Resident of Village and P.O.- Nachap, P.S. Manjhi, District- Saran at Chapra.
33. Sri Niwas Sah, Son of Sri Madai Sah, Resident of Village and P.O.- Nachap, P.S. Manjhi, District- Saran at Chapra.
34. Kumar Shrikant, Son of Sri Kameshwar Rai, Resident of Village- Mangal Tola, Mahammda, P.O.- Mahammda, P.S.- Garkha, District- Saran at Chapra.
35. Amrendra Kumar Singh, Son of Late Indrajeet Prasad Singh, Resident of Village and P.O.- Mukrera, P.S. Ribilganj, District- Saran at Chapra.
36. Dharendra Kumar Singh, Son of Sri Wakil Singh, Resident of Village- Atarsan Tla, Medu Chapra, P.O. Atarsan, P.S. Rasoolpur, District- Saran at Chapra.
37. Gita Kumari, Wife of Sunil Kumar Prabhakar, Resident of Village- Shivtola Dandaspur, P.O.- Panditpur, P.S. Janta Bazar, District- Saran at Chapra.
38. Suman Kumari, Wife of Sri Ajay Kumar Sinha, Resident of Village and P.O.- Deoria, P.S. Maharajganj, District- Siwan.
39. Kumari Bharti Kushwaha, Wife of Sri Shambhu Kumar Mahto, Resident of Village- Tazpur, P.O. Tazpur Fulwariya, P.S. Manjhi, District- Saran at Chapra.
40. Shashibala Kumari, Wife of Jai Prakash, Resident of Village- Balia, P.O.- Deopura, P.S.- Rasoolpur, District- Siwan.



41. Hridya Kumar Yadav, Son of Sri Chhathu Yadav, Resident of Village- Gora, P.O.- Khajuhatti, P.S. and District- Saran at Chapra.
42. Rupesh Ranjan Srivastava, Son of Sushil Kumar Sinha, Resident of Village- Cheful, P.O.- Cheful, P.S. and District- Saran at Chapra.
43. Zeenat Ara, Wife of Shakeel Ahmad, Resident of Village- Miyanpatti, P.O. and P.S. Manjhi, District- Saran at Chapra.
44. Vivek Kumar, Son of Sri Baban Singh, Resident of Chandel Nagar, Purani Quila, Siwan, P.O., P.S. and District- Siwan.
45. Kumari Rajani, Daughter of Gopalji Prasad, Resident of Chandel Nagar, Purani Quila, Siwan, P.O., P.S. and District- Siwan.
46. Sabita Kumari, Daughter of Rameshwar Yadav, Resident of Village and P.O.- Bigahan, P.S. Manjhi, District- Saran at Chapra.
47. Manisha Kumari, Wife of Arvind Kumar Giri, Resident of Bhikhari Chauk Grid, P.S. Nagar Thana, District- Saran at Chapra.
48. Dilkash Ara, Daughter of Saeed Akhtar, Resident of Village and P.O. Aranda, P.S. M.H. Nagar, Hassanpura, District- Siwan.
49. Jamir Mandal, Son of Sheo Pujan Mandal, Resident of Village- Mohanpur, P.O.- Govindpur, P.S. Pirpaiti, District- Bhagalpur.
50. Madhulika Bhardwaj, Wife of Arvind Kumar Mishra, Resident of Village and P.O.- Saidpura, P.S. 7, District- Siwan.
51. Arjun Prasad Sah, Son of Paras Prasad Sah, Resident of Village- Atarsan Tola, Medu Chapra, P.O.- Asahani, P.S.- Rasoolpur, District- Saran at Chapra.
52. Gita Devi, Wife of Sri Gautam Prasad, Resident of Village- Atarsan, P.O.- Asahani, P.S. Rasoolpur, District- Saran at Chapra.
53. Soni Kumari, Wife of Sri Ravi Kumar, Resident of Village- Bishunpura Khurd, P.O.- Safri, P.S. Ekman, District- Saran at Chapra.
54. Noor Phatma, Wife of Md. Nasir Ahmad, Resident of Village- Banpura, P.O.- Chanchaura, P.S. Rasoolpur, District- Saran at Chapra.
55. Satyendra Kumar Yadav, Son of Bhagwati Yadav, Resident of Village- Karailiyan, P.O. Bishunpura Kala, P.S. Ekma, District- Saran at Chapra.
56. Lal Babu Sah, Son of Sri Chheka Sah, Resident of Village and P.O.- Bishunpura Kala, P.S. Ekma, District- Saran at Chapra.
57. Rajan Manjhi, Son of Sri Rameshwar Manjhi, Resident of Village and P.O.- Chhitrawaliya, P.S. Ekma, District- Saran at Chapra.
58. Rina Roy, Wife of Sri Mithilesh Prasad Yadav, Resident of Village- Pipra, P.O.- Sareya Narendra, P.S. Barauli, District- Gopalganj.
59. Jay Mala Kumari, Resident of Village- Dhurapali, P.O.- Banpura, P.S. Rasoolpur, District- Saran at Chapra.
60. Shahla Parveen, Wife of Haider Ali Ansari, Resident of Village - Katokhar, P.O.- Mubarakpur, P.S. Manjhi, District- Saran at Chapra.
61. Sabita Kumari, Wife of Sri Naveen Singh, Resident of Village Rasoolpur Chatti, P.O.- Chainwa, P.S. Rasoolpur, District- Saran at Chapra.



62. Anita Kumari, Wife of Sri Naresh Sah, Resident of Village- Langara Tola, P.O.- Parsagarh, P.S. Ekma, District- Saran at Chapra.
63. Rekha Kumari, Wife of Sri Arvind Kumar Mahto, Resident of Village and P.O.- Aamdarhi, P.S. Ekma, District- Saran at Chapra.
64. Sujata Mishra, Wife of Sri Sanjay Kumar Pandey, Resident of Gudri Bazar, Salapatganj, Chapra, P.S. Bhagwan Bazar, District- Saran at Chapra.
65. Anita Devi, Wife of Sri Alok Kumar, Resident of Village Parsa Tola Bibhuj Singh, P.O. and P.S. Parsagarh, District- Saran at Chapra.
66. Rekha Kumari, Wife of Sri Ranjeet Kumar, Resident of Village and P.O.- Rith, P.S. Ekma, District- Saran at Chapra.
67. Punam Kumari, Wife of Manish Kumar, Resident of Village and P.O.- Tarwa, P.S. and District- Siwan.
68. Zeba Sohail Aafrin, Daughter of S.M. Najeeb, Resident of Purani Quila, Siwan Town, P.S. and District- Siwan.
69. Varsha Gupta, Wife of Sri Pintu Kumar Gupta, Resident of Village and P.O.- Hansrajpur, P.S. Ekma, District- Saran at Chapra.
70. Arti Kumari, Daughter of Sri Sohan Lal Singh, Resident of Village- Balia, P.O.- Deopura, P.S.- Rasoolpur, District- Saran at Chapra.
71. Kumari Renu, Wife of Sri Om Prakash Prasad, Resident of Village- Hussepur, P.O.- Parsagarh, P.S. Ekma, District- Saran at Chapra.
72. Anju Devi, Wife of Sri Arun Kumar, Resident of Village- Parsagarh, P.O.- Parsagarh, P.S. Ekma, District- Saran at Chapra.
73. Durgawati Kumari, Wife of Shankar Dayal, Resident of Village- Daudpur, P.O.- Daudpur, P.S. Daudpur, District- Saran at Chapra.
74. Abhay Kumar Prasad, Son of Sri Birendra Kumar Pandit, Resident of Village and P.O.- Sisai, P.S. Sahajitpur, District- Saran at Chapra.
75. Umrawati Kumari, Wife of Sri Ram Krishna Ram, Resident of Village- Hata Bishunpura, P.O. and P.S. Ekma, District- Saran at Chapra.
76. Rekha Kumari, Wife of Sri Gajendra Mahto, Resident of Village- Siuri Mathiya, P.O. Sarao, P.S. Rasoolpur, District- Saran at Chapra.
77. Baby Kumari, Daughter of Sri Lallan Prasad, Resident of Mohalla- Husse Chapra, P.O.- Chapra, P.S. Chapra Town, District- Saran at Chapra.
78. Ramanand Giri, Son of Late Shriram Giri, Resident of Village and P.O.- Nagdiha, P.S. Baniyapur, District- Saran at Chapra.
79. Jaymala Kumari, Wife of Sri Ranjeet Kumari, Resident of Village- Hathsarganj (Babutola), P.O.- Hazipur, P.S. Hazipur, District- Vaishali.
80. Vinayak Kumar, Son of Sri Bhikhari Raut, Resident of Village- Dhanauti, P.O.- Parsagarh, P.S. Ekma, District- Saran at Chapra.
81. Subhash Yadav, Son of Sri Sheo Mangal Yadav, Resident of Village- Bishunpura Khurd, P.O. Safri, P.S. Ekma, District- Saran at Chapra.
82. Rizwan Ahmad, Son of Eid Mohammad, Resident of Village- Manjhi Miya Patti, P.O. and P.S. Manjhi, District- Saran at Chapra.
83. Jahangir Alam, Son of Md. Mansoor Alam, Resident of Village- Manjhi



Miya Patti, P.O. and P.S. Manjhi, District- Saran at Chapra.

84. Rafik Ansari, Son of Jan Mohammad Ansari, Resident of Village and P.O.- Parsagarh, P.S. Parsagarh, District- Saran at Chapra.
85. Sultan Parwej, Son of Nagman Ali, Resident of Village and P.O.- Piparpati, P.S. Sahajitpur, District- Saran at Chapra.
86. Abdul Quadir, Son of Abdul Gaffar, Resident of Village- Chak Hafiz Basahi, P.O.- Basahi, P.S. Janta Bazar, District- Saran at Chapra.
87. Rajesh Kumar Thakur, Son of Sri Madhav Prasad Thakur, Resident of Village- Sadpur, P.O.- Jamanpura, P.S. and District- Saran at Chapra.
88. Sudeshwar Kumar Ram, Son of Sri Janardan Ram, Resident of village- Sadhpur, P.O.- Jamanpura, P.S. Daudpur, District- Saran at Chapra.
89. Reena Kumari, Wife of Vinod Kumar Ram, Resident of Village- Karmali Hata, P.O.- Tarwan, P.S. and District- Siwan.
90. Pintu Kumar Baitha, Son of Sri Chhabila Baitha, Resident of Village- Jaitiyan Pandey Tola, P.O.- Jai Chapra, P.S. Manjhi, District- Saran at Chapra.
91. Santosh Kumar, Son of Sri Ram Nath Prasad, Resident of Village- Gaziapur, P.O.- Parsagarh, P.S. Ekma, District- Saran at Chapra.
92. Khedan Kumar Pandit, Son of Sri Laxman Pandit, Resident of Pachrukhiya, P.O. and P.S.- Ekma, District- Saran at Chapra.
93. Punam Kumari, Wife of Sri Santosh Kumar Pandit, Resident of Village and P.O.- Asahni, P.S.- Rasoolpur, District- Saran at Chapra.
94. Saroj Kumar Pandit, Son of Sri Laxman Pandit, Resident of Village and P.O.- Asahni, P.S. Rasoolpur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The Regional Deputy Director of Education, Saran Division, Chapra.
4. The District Education Officer, Saran at Chapra.
5. The District Programme Officer (Establishment), Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh
For the Respondent/s : Mr.Prabhakar Jha (Gp27)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-02-2020

Heard both sides.



The grievance of the petitioners in the present writ petition is against the arbitrary decision of the respondents in granting the benefit of trained scale.

The learned counsel for the petitioners submits that the petitioners were sent for training for the academic year 2013-15. The course was completed in May, 2017 and thereafter the examination was held in the month of November, 2018. The respondents have taken their own time in publishing the result and, in fact, the result was published in March, 2019 along with the result of next junior batch. It is submitted that petitioners cannot be made to suffer on account of lapse of the respondents in holding the examination and publishing the result. It is further submitted that this court vide order dated 09.08.2019 passed in CWJC No. 16165 of 2019 directed the respondents to consider the case of the petitioners for grant of trained scale from the date of completion of training and not from the date of publication of the result as examination was held belatedly and even then the respondents took much time in publication of result for which the petitioners should not be made to suffer.

Having considered the facts and submission of the parties, I dispose of this writ petition with a direction to the respondents to consider the case of the petitioners from grant of



trained scale from the date of completion of training as ordered
in CWJC No. 16165 of 2019.

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

(Prabhat Kumar Jha, J)

BKS/-

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