

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11801 of 2017

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Suresh Shukla son of Janardan Shukla resident of Village - Chandrapur, Bakwa, P.S. - Chautarwa, District - West Champaran, presently residing at Village - Dumawaliya, Ward No. 8, P.S. - Bagha, District - West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
6. The District Education Officer, West Champaran.
7. The District Programme Officer Establishment, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr.Madanjeet Kumar -Gp20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-02-2020 Heard learned counsel for the parties.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has not been granted the benefit of Graduate Trained Scale whereas the stand of the respondents is that petitioner has been granted the benefit of Graduate Trained Scale.

In a situation like the instant, the Court cannot issue any positive direction. However, liberty shall be available to the petitioner to file representation before the District Programme Officer (Establishment) West Champaran, respondent No. 7



who shall be under obligation to provide opportunity of hearing to the petitioner and thereafter take appropriate decision. In the event the petitioner has been granted the benefit of Graduate Trained Scale then the respondents have to provide calculation chart of fixation of pay in the Graduate Trained Scale and if benefit of the same has not been granted, the respondents have to provide benefit of Graduate Trained Scale. Necessary decision in this regard must be taken by the respondents within a maximum period of three months from the date of receipt/production of a copy of this order.

So far as the recovery of Rs. 1 lac and odd is concerned, the same will abide by the fresh decision to be taken by the respondents in relation to the grant of trained scale and consequential benefits.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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