

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23203 of 2019

1. Awadhesh Kumar, Son of Mahendra Choudhary, resident of Sahdullhpur, P.S.- Ganga Bridge Jadua District- Vaishali, Posted at M.S. Govindpur, Bajidpur Block- Bidupur, District- Vaishali.
2. Vidya Sagar Rai, Son of Rampravesh Rai, Resident of Village- Chakjainav, P.S.- Bidupur, District- Vaishali posted at U.M.S. Chak Sikandar, Bidupur, Vaishali.
3. Prabhat Kumar Choudhary, Son of Late Ram Prasad Choudhary, Resident of Vill. Bagdulhan P.S. Hajipur Town, District- Vaishali posted at M.S. Rajapakar.
4. Umesh Kumar Yadav, Son of Shri Rajdeo Prasad Yadav, Resident of Village- Khajwatta Sultanpur, P.S. Bidupur, District- Vaishali posted at M.S. Hariharpur, Hazipur, District- Vaishali.
5. Dindayal Paswan, Son of Santlal Paswan, Resident of Village- Dayalpur, P.S. Rajapakar District- Vaishali Posted at U.M.S. Bashra, Rajapakar, District- Vaishali.
6. Anil Kumar Singh, Son of Shri Ram Dayal Singh, Resident of Village- Sultanpur, P.S. Hajipur District- Vaishali posted at U.M.S. Harpur Gopal, Bidupur.
7. Akbar Ali, Son of Md. Ajij Miyan, Resident of Village- Daudnagar, P.S. Daud Nagar District- Vaishali posted at U.M.S. Chechar Utari, Bidupur, Vaishali.
8. Surendra Prasad Singh, Son of Late Ram Sewak Singh, Resident of Rajapakar Westtola District- Vaishali posted at U.M.S. Bhathadasi, District- Vaishali.
9. Umesh Kumar Choudhary, Son of Late Jaymanga Choudhary, Resident of H.No. 76, RajputNagar Hajipur, P.S. Hajipur, posted at Girl U.M.S. Rajapakar, Rajapakar, District- Vaishali.
10. Fulchandra Rai, Son of Sri Punit Rai, Resident of Gangajal, P.S.- Rajapakar, District- Vaishali. Posted at M.S. Dhanauti, Bidu pur, District- Vaishali.
11. Shashi Bhushan, Son of Sri Ram Parikshan Rai, Resident of Lavapur Pachrukhi P.S.- Mahnar, District- Vaishali posted at M.S. Mathura block Bidupur, District- Vaishali.
12. Rajesh Kumar, Son of Sri Sakaldeo Rai, Resident of Village- Rohua, P.S.- Jandaha District- Vaishali posted at U.M.S. Pakadi Block Mahua, District- Vaishali.
13. Pramod Kumar Ratn, Son of Sri Krishan Mohan Ram, Resident of Dharupur, P.S.- Bikram ganj, District Rohtas posted at U.M.S. Pachaimubarak, District- Vaishali.
14. Bharat Chaoudhary, Son of Sri Ramlakhan Choudhary, Resident of Chotimadai P.S.- Hajipur, District- Vaishali posted at U.M.S. Phatahpur, District- Vaishali.
15. Mantosh Kumar, Son of Harendra Paswan, Resident of SuratpurBidha, P.S. Mahua, District Vaishali posted at U.M.S. Tajpur Rajo, Magua Dist.-



Vaishali.

16. Manish, Son of Ajab Lal, Resident of Afajalpur Puraina, P.S. Patepur, District- Vaishali posted at U.M.S. Tejpurwa, Patepur, District - Vaishali.
17. Upendra Pandit, Son of Ram Prasad Pandit, Resident of Chhatwari Khaspatti Block- Mahua, District -Vaishali posted at U.M.S. Kushharkhas, Mahua, District- Vaishali.
18. Shashtrilal Sahni, Son of Late Ram Prasad Sahni, Resident of Kushhar Khas, P.S.- Mahua, District- Vaishali posted at U.M.S. Khesarhiya, Block Mahua, District- Vaishali.
19. Satendra Kumar, Son of Sri Surya Shekhar Rai, Resident of Gauspur, P.S.- Jandaha, District Vaishali posted at U.M.S. Gauspur, Mahua, District- Vaishali.
20. Abhay Kumar, Son of Dharamnath Singh, Resident of Unchidih, P.S. Bidupur, District- Vaishali posted at M.S. Randaha, Hazipur, District- Vaishali.
21. Anand Kumar, Son of Bhushan Pandit, Resident of Saidpur Rajaoli, P.S. Hajipur Sadar, District- Vaishali posted at U.M.S. Madhopur, Mahua District- Vaishali.
22. Anil Kumar, Son of Devendra Prasad, Resident of Basra P.S.- Rajapakar District- Vaishali, Posted at P.S. Panapur, Pipra, District- Vaishali.
23. Amar Nath Singh, Son of Late Sadhu Singh, Resident of Majiya, P.S.- Goraul, District- Vaishali posted at U.M.S. Jalalpur, Bhagwanpur, District- Vaishali.
24. Indrajeet Kumar, Son of Sitaram Rai, Resident of Village- Dhamaun, P.S. Patori District- Samatipur posted at M.S. Lavapur Narayan, Mahnar District- Vaishali.
25. Shiv Prasad Paswan, Son of Rudal Paswan, Resident of Khonksa Kalyan P.S. Desari, District- Vaishali posted at M.S. Imadpur sultan, District- Vaishali.
26. Lalan Das, Son of Bilat Das, Resident of Jadua Bazar, P.S. Hajipur, District- Vaishali posted at U.M.S. RahimapurPethiya Block Bidupur, District- Vaishali.
27. Prakash Chandra, Son of Satya Narayan Sharma, Resident of ward no. 30, Lodipur, Hajipur, District- Vaishali, Posted at M.S. Chowk, Hajipur, Vaishali.
28. Ashok Kumar Bhagat, Son of Late Gatar Bhagat, Resident of Village - Pokhra, P.S.- Hajipur District- Vaishali posted at Nav P.S. Rasulpur, Mushahari, Lalganj, Vaishali.
29. Arbind Kumar, Son of Sri Vijay Prasad Singh, Resident of Village- Rajapakad, District- Vaishali Posted at M.S. Makdumpur pokhraise Block Rajapakar, Vaishali.
30. Anil Kumar Hari, Son of Sri Fudena Ram, Resident of Birpur, P.S. Judawanpur District- Vaishali posted Nav P.S. Allipur Hatta, Chalanth Booth, Mahanar, Vaishali.
31. Ashok Kumar Singh, Son of Rupchand Singh, resident of Nayaganj, P.S.



- Desari, District- Vaishali, Posted at U.M.S. Vishnupur Block- Mahanar District- Vaishali.
32. Rakesh Kumar, Son of Mahendra Prasad, Resident of Village- Mahanar, P.S.- Mahanar District- Vaishali posted at U.M.S. Balawa Jairam, Mahnar, Vaishali.
 33. Ram Nath Ram, Son of Ram Lakhan Ram, Resident of Village- Mahisaur, Mahua District- Vaishali posted at U.M.S. Mahua Singh Rai Purvi, Mahua, Vaishali.
 34. Jitendra Kumar, Son of Ram Lagan Pandit, Resident of Village- Nayagaon Bariyarpur, P.S. Desari, District Vaishali posted at U.M.S. Sultan pur Purvi, Sahdeibuzurg, District- Vaishali.
 35. Shailendra Kumar, Son of Rama Shankar Ram, Resident of Village- Judawanpur Rampur, P.S.- Judawanpur, District- Vaishali Posted at U.M.S. Bashra, Rajapakar, District- Vaishali.
 36. Mani Nath Mani, Son of Jaylal Mochi, Resident of Village- Lawapur Narayan, P.S. Mahanar District- Vaishali posted at U.M.S. Alopur Hatta, Mahnar.
 37. Rama Shankar Sah, Son of Rajeshwar Sah, Resident of Village- Harauli P.S. Hazipur District- Vaishali posted at U.M.S. Bhatauli Bhagwan, Lalganji.
 38. Deo Nath Pandit, Son of Late Ram Surat Pandit, Resident of Village Mangurahi, P.S. Ganga bridge District- Vaishali posted at U.M.S. Kiratpur, Bhagwanpur, District- Vaishali.
 39. Satish Kumar, Son of Lakshmishwar Prasad Gupt, Resident of Village, Harpur Saidabad, P.S.- Patauri posted at G.M.S. Sultan Pur Sahadei buzurg, District- Vaishali.
 40. Natan Babara, Son of B raj Kishore Babara, Resident of Mahanar, P.S.- Mahanar, District- Vaishali, posted at P.S. Nayaganj Kanya, Sahadei Buzurg District- Vaishali.
 41. Amarendra Kumar Arya, Son of Late Yogendra Bhakt, resident of Road no 1 ward no 27 Shahi coloni, P.S. Hazipur District- Vaishali, Posted at U.M.S. Patepur, Lalganj, District- Vaishali.
 42. Vijay Kumar, Son of Krishna Lal Singh, Resident of Village- Govind Pur Jakharaha, P.S. Raj a Pakar District- Vaishali posted at M.S. Khanpur Pakari, Bidupur, Vaishali.
 43. Tara Kumari, Wife of Ram Prasad Choudhary, Resident of Village- Bagdulhan P.S. Hazipur District- Vaishali posted at Nav P.S. Dighikhurd, Hazipur, District- Vaishali.
 44. Satendra Kumar, Son of Yamuna Prasad, Resident of Village- Jogiya, P.S. Chandi, District- Nalanda posted at M.S. Hariharpur, Hazipur, District- Vaishali.
 45. Sanjay Kumar Choudhary, Son of Guru Shankar Choudhary, Resident of Village- Hathsarganj, P.S. Hazipur, District- Vaishali Posted at U.M.S. Akilabad Hazipur, District- Vaishali.
 46. Ashok Kumar, Son of Shiv Prasad Singh, Resident of Jandaha, P.S.- Jandaha, District- Vaishali posted at M.S. Panapur Kushiya, Bidupur, Vaishali.



47. Prabhat Ranjan, Son of Late Surendra Prasad Singh, Resident of Village- Mahisour P.S. Jandaha District- Vaishali posted at M.S. Chaksikandar, Bidupur, Vaishali.
48. Uday Shankar Jha, Son of Late Shya Kant Jha, Resident of Village Hirpur P.S. Jandaha District- Vaishali posted at U.M.S. Maheshwarpur, Bidupur, District- Vaishali.
49. Dilip Kumar, Son of Nanhaku Singh, Resident of Razapakar P.S. Rajapakar District- Vaishali, posted at U.M.S. Bhayadasi Rajapakar District- Vaishali.
50. Raj Kumar Verma, Son of Ramdeo Singh, Resident of Village Jhamanbigaha, P.S.- Makhdumpur District- Jehanabad posted at Nav P.S. Sindhiya Kamalpur, Bidu pur District- Vaishali.
51. Sanjay Kumar Vidyarthi, Son of Laldeo Paswan, Resident of Pidauta Khurd, P.S.- Tisiauta, District- Vaishali posted at U.M.S. Adharbarda, Hazipur East, District- Vaishali.
52. Shashi Kant Thakur, Son of Ram Ekabal Thakur, Resident of Village- Maniyarpur, P.S.- Bidupur District- Vaishali posted at U.M.S. Maniyarpur, Bidupur, District- Vaishali.
53. Mahesh Prasad Yadav, Son of Ram Rattan Rai, Resident of Village Chapaith, P.S.- Goraul, District- Vaishali posted at Nav, P.S. Hilalpur, Hazipur east District- Vaishali.
54. Suresh Kumar, Son of Ram Chandra Rai, Resident of Village Mahua Singhrai P.S. Mahua, District- Vaishali posted at U.M.S. Rajapakar west, District- Vaishali.
55. Narayan Jha, Son of Bihari Jha, Resident of Village - Ladaur, P.S. Gayghat, District - Muzaffarpur posted at Nav, P.S. Samudaik Bhawan Patipur Chandi, Hazipur, District- Vaishali.
56. Upendra Kumar Rai, Son of Rajballabh Rai, Resident of Village- Hasanpur Surat, P.S.- Patauri, District- Samastipur posted at M.S. Basudeopur Chandel, District- Vaishali.
57. Vijay Bhagat, Son of Ram Prasad Pandit, Resident of Chhatwari Khaspatti Block- Mahua, District- Vaishali posted at U.M.S. Kushharkhas, Mahua, District- Vaishali.
58. Manoj Prasad, Son of Chandrika Prasad, Resident of Belauni P.S.- Korama, District- Shekhpura posted at Nav P.S. Lalachak, Izara, Hazipur, District- Vaishali.
59. Jitendra Kumar, Son of Jhagaru Ram, Resident of Basudeopur Chandel, P.S.- Mahnar, District- Vaishali posted at U.M.S. Basudeo west Tola, Mahnar District- Vaishali.
60. Ramesh Kumar, Son of Hriday Rai, Resident of Madhopur, P.S. Jandaha, District- Vaishali posted at U.M.S. Dubaha, Sahdei Buzurg District- Vaishali.
61. Sanjay Kumar, Son of Rampyare Rai, Resident of Chakchanaiv, P.S. Bidupur, District- Vaishali posted at U.M.S. Pohiar Buzurg, District- Vaishali.
62. Sandip Prakash, Son of Naga Sahani, Resident of Lodipur, P.S.- Mahanar, District- Vaishali Posted at U.M.S. Mamsai, Sahdeibuzurg, District- Vaishali.



63. Nandesh Singh, Son of Dasarath Prasad Singh, Resident of Senduari, P.S.- Hazipur, District- Vaishali posted at M.S. Bera District- Vaishali.
64. Arun Kumar Tripathi, Son of Nityanand Tripathi, Resident of Ashiyana Nagar District- Patna posted at U.M.S. Diwantok east, Raghapur, Vaishali.
65. Ranjit Kumar, Son of Sukhdeo Mahto, Resident of Puri, P.S.- Pawapuri, District- Nalanda posted at U.M.S. Rustampur Tinpairia, Raghapur, District- Vaishali.
66. Nawal Kishore Prasad, Son of Dhupan Prasad, Resident of Sakarpura P.S.- Dhanarua District Patna posted at U.M.S. Saidabad, Raghpur, District- Vaishali.
67. Anand Kumar, Son of Late Vishwanath Prasad Rai, Resident of Sultanpur, Desari, District- Vaishali. Posted at M.S. Labapur Mahnar Balak, Mahnar, Vaishali.
68. Birendra Prasad Keshari, Son of Late Munni Lal Singh, Resident of Desari P.S. Desari District Vaishali posted at Rajykanya, M.S. Jadua, Hazipur, Vaishali.
69. Minketan Bhardwaj, Sonof Prakash Kishore Singh, Resident of Village- Chandpur, P.S. Bidupur District- Vaishali Posted at U.M.S. Dharmpur Block, Rajapakar, Vaishali.
70. Umesh Kumar Rai, Son of Mahendra Rai, Resident of Dedhpura P.S. Mahanar District Vaishali posted M.S. Sahdullahpur, Hazipur, Vaishali.
71. Sunil Kumar Thakur, Son of Yugul Kishore, resident of Subhash Chouk P.S. Hazipur Nagar Thana District- Vaishali, Posted at Nav, P.S. Gadai Saraipurva Block- Hazipur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government 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, Muzaffarpur.
6. The District Education Officer, Vaishali.
7. The District Program Officer (Establishment), Vaishali.
8. The District Accountant Officer, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arabind Nath Pandey
For the Respondent/s : Mr.Subash Chandra Mishra (Sc16)



CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-02-2020 Mr. Arbind Nath Pandey, learned counsel for the petitioners submits that the cases of the petitioners are squarely covered by order dated 31.03.2011 passed in C.W.J.C. No. 6139 of 2007 which order stood affirmed by order dated 16.08.2017 passed in L.P.A. No. 756 of 2015.

The learned counsel for the petitioners has also drawn the attention of this Court to an order dated 23.03.2018 in which the petitioners have been given the same benefits of the senior pay-scale on completion of the period of 12 years of service, to be counted from the date of appointment.

There is no reason why the petitioners be not treated similarly, if their cases are similar to the petitioners therein.

Under the aforesaid circumstances, this Court directs that in case the petitioners make a suitable representation, annexing a copy of this order along with



the orders which have been referred to above, before Respondent No. 6, within a period of four weeks, the same shall be looked into by the concerned respondent, and the claim of the petitioners be verified and ascertained and if they are found to be true and similar to the case of the petitioners about which reference has been made in the order, then a reasoned order shall be passed / caused to be passed within a further period of eight weeks.

Needless to state that if the claim of the petitioners are found to be tenable, consequential benefits also shall be afforded to them.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

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