

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 42 of 2020

1. Bindu Bhushan Rajak Son of Late Laxmi Rajak, Resident of Village - Sultanganj, Chitra Cinema Road, P.O.- Sultanganj, P.S. - Sultanganj, District- Bhagalpur. Presently posted as Assistant Teacher Darbari Singh Middle School, Sultanganj, P.S. - Sultanganj, Bhagalpur.
2. Md. Barkattullah Ansari @ Barakatullah Ansari, Son of Late Md. Amannullah Ansari, Resident of Village - Dilgouri, P.O.- Abjuganj, P.S. - Sultanganj, District - Bhagalpur. Presently posted as Assistant Teacher, Urdu Kanya Middle School, Kolgama, Sultanganj, P.S. - Sultanganj, Bhagalpur.
3. Meena Ghosh @ Mina Ghosh, Wife of Late Badri Vishal Ghosh, Resident of L.I.C. Colony, Bahadurpur, Jharkhuria, P.S.- Sabaur, District- Bhagalpur, Presently posted as Assistant Teacher, Kanya Middle School, Barari Nagar Nigam, P.S.- Barari, Bhagalpur.
4. Rajesh Kumar Ranjan, Son of Late Hiyalal Prasad, Resident of Village - Goriyasi, P.O.- Gangapur, P.S.- Sultanganj, District - Bhagalpur. Presently posted as Assistant Teacher, Ramwati Kanya Middle School, Rampur, Nathnagar, P.S.- Madhusudanpur (Nathnagar), Bhagalpur.
5. Manju Kumari, Wife of Late Manindra Kumar Jha, Resident of Flat No. - 6-I, Ganesh Enclave, Shitla Asthan Chowk, Mirjanhut, Kutubganj, P.S. - Mouzahidpur, District- Bhagalpur, Presently posted as Assistant Teacher, Primary School Gudarganj, Mirjanhut, Nagar Nigam, P.S.- Mouzahidpur, Bhagalpur.
6. Kumar Amit Ranjan, Son of Late Nageshwar Prasad, Resident of Village - Khanpur English, P.O.- Khanpur Mall, P.S. - Bath, Sultanganj, District- Bhagalpur, Presently posted as Assistant Teacher, Kanya Middle School, Khanpural, Sultanganj, P.S.- Bath, Bhagalpur.
7. Vibha Shankar Kumar, Son of Late Upendra Prasad Singh, Resident of Ward No. - 1, Gali No. - 4, Purani Durga Asthan, P.O. - Sultanganj, P.S. - Sultanganj, District- Bhagalpur. Presently posted as Assistant Teacher, Middle School Kashmabad, Sultanganj, P.s.- Sultanganj, Bhagalpur.
8. Shashi Bhushan Sah, Son of Late Jagdish Sah, Resident of Village- Pildouri Gadaiya, P.O. - Sultanganj, P.S.- Sultanganj, District- Bhagalpur. Presently posted as Assistant Teacher, Middle School, Abjuganj, P.S.- Sultanganj, Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
5. The Director, Primary Education, Government of Bihar, Patna.



6. The District Magistrate, Bhagalpur.
7. The Regional Deputy Director of Education, Bhagalpur.
8. The District Education Officer, Bhagalpur.
9. The District Programme Officer (Establishment), Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan
For the Respondent/s : Mr.Madhaw Pd. Yadaw (GP23)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-01-2020 Heard both sides.

The petitioners filed this writ petition for a direction to the respondents to grant the petitioners Matric Trained Pay Scale after three years from the date of their appointment or from 01.10.2003 whichever is later.

Learned counsel for the petitioners submits that the petitioners were appointed on compassionate ground in between 1991 of 2003 but the petitioners were not sent for in service training and the department made pick and choose method. On account of such, the petitioners could not attend training examination but the department granted trained scale to other persons who were sent for training. This Court by order passed in C.W.J.C. No.7322 of 2017 ordered that the petitioners of that case are entitled for grant of trained scale after three years from the date of their joining. It is further submitted that in different C.W.J.Cs. such as C.W.J.C. No.16582 of 2018 and C.W.J.C. No.20552 of 2019, the respondents were directed to consider the case of the writ petitioners for grant of Trained Teachers Scale from the date of their admissibility.

In this view of the fact, I dispose of this writ petition with a direction to District Education Officer, Bhagalpur to



consider the case of the petitioners for grant of trained scale within two months from the date of receipt of this order in the light of the judgment passed in C.W.J.C. No.7322 of 2017, C.W.J.C. No.16582 of 2018 and C.W.J.C. No.20552 of 2019.

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

(Prabhat Kumar Jha, J)

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