

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.494 of 2020

1. Jitendra Kumar Son of Late Ramdev Prasad Singh, Resident of Village-Bhadas South, P.S. Muffasil, District- Khagaria. Presently posted at Primary Maktab Dhunia Tola, Bhadas, Khagaria.
2. Shudhanshu Kumar, Son of Late Jageshwar Prasad Yadav, resident of Village- Usari, P.S. Gogri, District Khagaria. At present posted at Primary Maktab, Murgiya Chak, Khagaria.
3. Sunil Paswan, Son of Late Paras Paswan, Resident of Madarpur, Station Road, Mahesh Khunt, P.S. Gogri, District- Khagaria. At present posted at Middle School Madarpur, Gogri, Khagaria.
4. Navin Kumar Singh, Son of Late Bam Bahadur Singh, Resident of Village-Saraiya, P.S. Chautham, District Khagaria. At present posted at Middle School, Pipra, Chautham, Khagaria.
5. Pankaj Kumar, Son of Late Vijai Kumar, Resident of Village- Panslwa, P.S. Beldaur, District- Khagaria. At present posted at Middle School, Larhi, Alauli, Khagaria.
6. Pradip Kumar, Son of Late Ganpati Singh, Resident of Karana, P.S. Parbatta, District. At present posted at Middle School, Hazipur (Uttar), Khagaria.
7. Rakesh Raman, Son of Surendra Narayan Singh, Resident of Village-Nawada, P.S. Choutham, District Khagaria. Presently posted Primary School, Bharna Musahari, Beldaur, Khagaria.
8. Anjani Kumar Jha, Son of Late Vijay Kant Jha, resident of Village- Shirniya, North Tola, P.S. Gogri, District- Khagaria. Presently posted at A.M.S English, Mahesh Khunt, Gogri, Khagaria.
9. Md. Moshahid Rahman, Son of Late Md. Mahfoozur Rahman, resident of Village- Jalkoura, P.S. Olapur Gangaur, District Khagaria. Presently posted at M.S. Tetarabad, Chandpura, Khagaria.
10. Chandan Kumar, Son of Rabindra Kumar Chaurasia, resident of Village-Mahesh Khunt, P.S. Gogri, District Khagaria. At present posted at P.S. Powari Tola, Mahesh Khunt, Khagaria.
11. Md. Shohail Azad, Son of Md. Shoibuddin, resident of Village- Marar Utri Sabalpur, P.S. Mandar (Morkahi) District Khagaria. Presently posted at Middle School, Rahua, Khagaria.
12. Chandan Kumari, Wife of Late Amar Bharti, Resident of Village Baltara, P.S. Gogari, District Khagaria. Presently posted at M.S. Sonbarsa Ghat Choutham, Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources and Development Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.



4. The District Education Officer, Khagaria.
5. The District Programme Officer (Establishment) Khagaria.
6. The District Treasury Officer, Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Respondent/s : Mr.Kameshwar Kumar (Gp17)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-01-2020 Heard both sides.

The petitioners have 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 to 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 C.W.J.C. No.13734 of 2012, 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, Khagaria 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.19189 of 2019, C.W.J.C. No.7322 of 2017 and C.W.J.C. No.13734 of 2012.

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

(Prabhat Kumar Jha, J)

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