

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9240 of 2020

Uttam Kumar Son of Late Chandradeo Sharma, Resident of Village - Dharahara, P.S. - Gopalpur, District - Bhagalpur. Presently posted as Assistant Teacher, Middle School, Abhiya, Block- Gopalpur, P.S. Gopalpur, 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, Finance Department, 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.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-03-2021 The present writ petition has been filed
seeking the following reliefs:-

"(i) Issuance of an appropriate writ or writs in the nature of mandamus directing the respondents to grant matric trained pay scale to the petitioner from the date of joining and further to grant Senior Scale on completion of 12 years of service.

(ii) Issuance of an appropriate writ



or writs in the nature of mandamus commanding the Respondents for entitlement of petitioners for grant of matric trained pay scale from the date of joining and further to grant senior scale on completion of 12 years of service in the light of order dated 31.03.2011 passed in CWJC No. 6139 of 2007 and order dated 16.08.2017 passed in L.P.A. No. 756 of 2015, as the case of petitioner is squarely covered by the above two decisions.

(iii) And further be pleased to grant all other financial benefits along with its arrears and all consequential monetary benefit thereof in accordance with law."

The learned counsel for the petitioner submits that the petitioner be granted liberty to approach the Regional Deputy Director of Education, Bhagalpur i.e. the Respondent No. 7, who be directed to examine the case of the petitioner and grant the aforesaid reliefs inasmuch as the case of the petitioner is squarely covered by judgments dated 31.03.2011, 16.08.2017 and



20.04.2018 passed in CWJC No. 6139 of 2007 (Ram Ashis Tiwary & Ors. vs. The State of Bihar & Ors.), L.P.A. No. 756 of 2015 (The State of Bihar & Ors. vs. Ram Ashis Tiwari & Ors.) and CWJC No. 7255 of 2018 (Jivan Kumar Ghosh & Ors. vs. The State of Bihar & Ors.).

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to approach the Respondent No. 7 and in case, appropriate representation is filed within a period of four weeks from today, the Respondent No. 7 shall pass appropriate orders, in accordance with law, as also upon consideration of the aforesaid judgments referred to hereinabove by the learned counsel for the petitioner, within a period of eight weeks thereafter.

(Mohit Kumar Shah, J)

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