

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8090 of 2020

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Janak Nandani Kumari Wife of Indranath Jha, Resident of Village - Jajuar, Ward No. 13, P.O. - Jajuar, P.S. Katra, District Muzaffarpur. Presently posted as Assistant Teacher, Government of Primary School, Jajuar, Block- Katra, P.O. - Jajuar, P.S. Katra, District Muzaffarpur.

... .. 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, Muzaffarpur.
7. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
8. The District Education Officer, Muzaffarpur.
9. The District Programme Officer (Establishment), Muzaffarpur.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 8095 of 2020

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Lalan Prasad Son of Late Baburam Prasad, Resident of Village- Padariya, Sarsar, P.S.- Siwan Muffasil, District- Siwan, Presently Posted as Assistant Teacher, Government Primary Girls School, Sarsar, Block- Siwan Sadar, P.S.- Siwan Muffasil, District- Siwan.

... .. 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 Siwan.
7. The Regional Deputy Director of Education Saran
8. The District Education Officer Siwan.
9. The District Programme Officer (Establishment) Siwan.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 8121 of 2020

1. Md. Umar Farooque Son of Late Md. Harun Rashid, Resident of Village - Raksa, P.O.- Raksha, P.S. Karja, District Muzaffarpur, Presently posted as Assistant Teacher, Primary School, Raksha Uttar, Block - Marwan, P.S. Karja, District - Muzaffarpur.
2. Nagmani, Son of Late Ramnawmi Prasad Singh, Resident of Village - Jaimal Dumri, Dumri Jamal, P.O.- Jaimal Dumri, P.S. Paro, District - Muzaffarpur, Presently posted as Assistant Teacher, Primary School, Bajitpur Kodariya, Block - Kudhni, P.S. Kudhni, District Muzaffarpur.
3. Prabhat Kumar, Son of Late Umeshwar Prasad Sinha, Resident of Village - Sri Rampur, NH- 28, Bhagwanpur, P.S. - Sadar, District - Muzaffarpur. Presently posted as Assistant Teacher, Upgraded Middle School, Mahdumpur Kodaria Gwala Tola, P.S. Karja, District Muzaffarpur.
4. Ravindra Prasad Singh, Son of Late Raghunath Singh, Resident of Mohalla - Umesh Nagar, Shekhpura, P.S. - Ahiyapur, District – Muzaffarpur. Presently posted as Assistant Teacher, Upgraded High School, Karika, Block - Minapur, P.S. Minapur, District Muzaffarpur.
5. Vijay Shankar Bharti, Son of Late Jailal Ray, Resident of Village - Kharika Urf Bhalalpur, P.S. - Minapur, District - Muzaffarpur. Presently posted as Assistant Teacher Middle School, Panapur, Block - Minapur, P.S. Minapur,



District Muzaffarpur.

... .. 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, Muzaffarpur.
7. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
8. The District Education Officer, Muzaffarpur.
9. The District Programme Officer (Establishment), Muzaffarpur.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 8128 of 2020

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1. Jitendra Kumar Choudhary, Son of Late Bishwanath Choudhary, Resident of Village - Telghi, P.O. Telghee, P.S. Kharik Bazar, District- Bhagalpur. Presently posted as Assistant Teacher in Middle School Marwa, Bihpur, P.S. Bihpur, District Bhagalpur.
2. Rajiv Nayan, Son of Nawal Kishore Roy, Resident of Village - Jhandapur, P.O. - Jhandpur, Bihpur, P.S. - Jhandapur, District Bhagalpur. Presently posted as Assistant Teacher in M.S. Choudhary Tola, Jhandapur, Bihpur, P.S. Jhandpur, District Bhagalpur.
3. Md. Akram Ansari, Son of Late Md. Sagir Ansari, Resident of Village - Dhruvganj, P.S. - Kharik, District Bhagalpur. Presently posted as Assistant Teacher in Primary School, Bhagwatipur, Bihpur, Bhagalpur.
4. Kumar Gaurav, Son of Late Narayan Paswan, Resident of Village - Bikrampur, P.O.- Bihpur, P.S. Bihpur, District - Bhagalpur. Presently posted as Assistant Teacher in Middle School, Lokmanpur, Kadhwa, Naugachiya,



Bhagalpur.

5. Ajay Kumar, Son of Late Saldeo Mandal, Resident of Mohalla -22D Pranwati Lane, Tilka Manjhi, New Vikramshila Colony, Tilka Manjhi, Block - Jagdishpur, P.S. Isakchak, District Bhagalpur. Presently posted as Assistant Teacher in Shrimati Padmavati Thakurain Middle School, Tilka Manjhi, Bhagalpur.
6. Amardeep Kumar Pathak, Son of Late Gyandeo Pathak, Resident of Mohalla - CC Mukharjee Road, Adampur, Block -Jagdishpur, P.S. Jogsar, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Mundichak, Nagar Nigam, Bhagalpur.
7. Phuleshwar Prasad, Son of Ram Baitha Resident of Village Barari, Sabour, P.O. Barari, P.S. Barari, District Bhagalpur. Presently posted as Assistant Teacher in Primary School, Ibrahimpur, Chhoti Sabour, Bhagalpur.
8. Himanshu Kumar Jha, Son of Late Kailash Jha, Resident of Village - Gangapur, P.O. Gangapur, P.S. Sultanganj, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Mirhatti, Sultanganj, Bhagalpur.
9. Niraj Kumar, Son of Late Triveni Prasad Singh, Resident of Village - Sikandarpur, Near Water Tank, Kutubganj, P.O.- Mirjanhat, P.S. Mojahidpur, District Bhagalpur. Presently posted as Assistant Teacher in Adarsh Middle School, Narayanpur, Shahkund, Bhagalpur.
10. Nityanand Thakur, Son of Late Kamleshwari Thakur, Resident of Village - Fulwaria, Jagaria, P.O.- Shahkund, P.S. Shahkund, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Janipur, Shahkund, Bhagalpur.
11. Pankaj Kumar Singh, Son of Late Kamdeo Singh, Resident of Village - Surkhikal, Tilka Manjhi, P.S. Barari, District Bhagalpur. Presently posted as Assistant Teacher in P.T. Middle School, Tilka Manjhi, Bhagalpur.
12. Jainendra Kumar Das, Son of Late Shakun Das, Resident of Village - Manikpur, P.O. Manikpur, P.S. Tarapur, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Mohhadipur, Sultanganj, Bhagalpur.
13. Master Rajeev, Son of Late Rasbihari Singh, Resident of Village Ramchua, P.S. - Shambhuganj, District Banka. Presently posted as Assistant Teacher in Middle School, Dhwalpura, Sultanganj, Bhagalpur.
14. Suman Kumar, Son of Shri Prahlad Prasad Sah, Resident of Village - Saino,



- P.O. Saino, P.S. Jagdishpur, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Lagma Hat, Kahalgaon, Bhagalpur.
15. Deep Narayan Paswan, Son of Bhup Narayan Paswan, Resident of Village - Bindtoli, P.O.- Tintanga Karai, P.S. Gopalpur, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Budhuchak, Block- Gopalpur, P.S. Gopalpur, Bhagalpur.
 16. Bina Kumari, Wife of Kumod Singh, Resident of Village - Saidpur, Dabra, S.T. Goriar, P.S. Gopalpur, District Bhagalpur. Presently posted as Assistant Teacher in Primary School, Saidpur (North), Block - Gopalpur, P.S. Gopalpur, Bhagalpur.
 17. Mina Kumari, Wife of Shri Ambika Prasad, Resident of Mohalla - 6, Sarai, Upper Clean Road, Jagdishpur, Bhagalpur City, P.S. Jagdishpur, District Bhagalpur, Presently posted as Assistant Teacher in Primary School, University Area, Nagar Nigam, Bhagalpur.
 18. Chandra Bhushan Singh, Son of Late Bibhuti Prasad Singh, Resident of Village - Tetari, Near Durga Mandir, Tetripakra, P.S. Naugachiya, District Bhagalpur. Presently posted as Assistant Teacher in Primary School, Sindhiya Makandpur (Girls), Block - Gopalpur, P.S. Naugachia, Bhagalpur.
 19. Ranjan Kishor, Son of Late Chandradev Prasad Singh, Resident of Village Dayalpur, Dealpur, P.S. Jhandapur, District Bhagalpur. Presently posted as Assistant Teacher in Primary School, Eastern Railway, Barari, Nagar Nigam (East), Bhagalpur.
 20. Varun Kumar Chaudhari, Son of Late Vishundev Chaudhari, Resident of Village - Telghi, P.O. Telghee, P.S. - Kharik Bazar, District Bhagalpur. Presently posted as Assistant Teacher in Girls Primary School, Babhangama, Bihpur, P.S. Bihpur, District Bhagalpur.
 21. Mirtunjay Kumar, Son of Late Sadanand Kumar, Resident of Village - Tulshipur, Jamunia, Kharik, P.S. Kharik Bazar, District Bhagalpur. Presently posted as Assistant Teacher in Middle School Gauripur, Bihpur, P.S. Bihpur, District Bhagalpur.
 22. Lal Bahadur Mandal, Son of Bishwanath Mandal, Resident of Village - Mahuara, P.O.- Mordiha, P.S. Thakurgangti, District - Godda, Jharkhand, Presently posted as Head Master in Middle School, Olapur, P.O. Pirpainti, P.S. Pirpainti, District Bhagalpur.
 23. Nirbhay Kumar Mandal, Son of Late Tarni Prasad Mandal, Resident of



- Village- Bishal, P.O.- Barmasia, Pealapur, Rifatpur, P.S. Ishipur, Pirpainti, District Bhagalpur. Presently posted as Head Master in Middle School, Bishal, P.O. Barmasia, P.S. Ishipur, Pirpainti, District Bhagalpur.
24. Janardan Mandal Son of Lali Mandal, Resident of Village - Bakharpur, Block - Pirpainti, P.S. Pirpainti, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Govindpur, P.S. Pirpainti, District Bhagalpur.
25. Praveen Kumar, Son of Chhbi Nath Baitha Resident of Village Baniyadda, Ward No. 14, P.O. Sanokhar, P.S. Sanokhar, Ekchari, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Mahgama Bhihak, P.O. Bairiya, P.S. Kahalgaon, District Bhagalpur.
26. Anup Lal Mandal, Son of Bibhishan Mandal, Resident of Village Kachariya, P.O.- Budhuchak, P.S. Kahalgaon, District Bhagalpur. Presently posted as Head Master in Middle School, Anthavan, P.O. Sangeet Baitha, P.S. Ekchari, District Bhagalpur.
27. Abdur Razzaque, Son of Shekh Jumman, Resident of Village - Kazipura, Ward No. 2, Colgong, P.S. Kahalgaon, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Kashi, Kahalgaon, P.S. Antichak, District Bhagalpur.
28. Pankaj Kumar Choudhary, Son of Satyanarayan Mohali, Resident of Village - Kajipur, Ward No. 3, Colgong, P.S. Kahalgaon, District Bhagalpur. Presently posted as Assistant Teacher in Primary School, Amapur, Kulkuliya, P.S. Kahalgaon, District Bhagalpur.
29. Nagendra Mandal, Son of Late Mahavir Mandal, Resident of Village - Kachaharia, Ward no. 10, P.S. Buddhuchak, Mohanpur Gaughatta Inglish, Maturapur, P.S. Kahalgaon, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Goghatta, Budhuchak, P.S. Kahalgaon, District Bhagalpur.
30. Nand Kishor Mandal, Son of Buddhinath Mandal, Resident of Village - Chhoti Chataiya, P.O. Ekchari Diyara, P.S. Ekchari Diyara, Pirpainti, Via-Mathurapur, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Nandlalpur, P.S. Kahalgaon, District Bhagalpur.
31. Mahendra Prasad Mandal, Son of Girdhari Prasad Mandal, Resident of Village - Khawaspur, Ward No. 15, P.O. Khawaspur, P.S. Pirpainti, District Bhagalpur. Presently posted as Assistant Teacher in Middle School,



Nandlalpur, P.S. Kahalgaon, District Bhagalpur.

32. Ashok Kumar Mishra, Son of Shivnarayan Mishra, Resident of Village - Paithanpura, Ward No. 4, P.S. Kahalgaon, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Choudhary Tola, Kahalgaon, P.S. Kahalgaon, District Bhagalpur.
33. Ajay Kumar, Son of Parmanand Singh, Resident of Village Naya Nagar (Ranidiyara) Ward No. 7, Kishanduspur, P.S. Budhuchak, District Bhagalpur. Presently posted as Assistant Teacher in Urdu Middle School, Ekchara, P.S. Budhuchak, District Bhagalpur.
34. Sumitra Kumari, Wife of Late Pradeep Mandal, Resident of Village Anand Vihar Colony, Ward No. - 3, Kajipur, P.S. Kahalgaon, District Bhagalpur. Presently posted as Assistant Teacher in Girls Primary School, Paithanpura, P.S. Kahalgaon, District Bhagalpur.
35. Sunil Kumar Murmu, Son of Manohar Murmu, Resident of Village - Dhobarna, P.O.- Chow Paani, P.S. Bausi, District Banka. Presently posted as Assistant Teacher in Middle School, Gamharpur, P.O. Baraini, P.S. Kahalgaon, District Bhagalpur.
36. Baidynath Bihari, Son of Mahanand Jha, Resident of Village - Danaura, P.S. Rasalpur, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Dhanaura, P.S. Rasalpur, Kahalgaon, District Bhagalpur.
37. Brajnandan Kumar, Son of Late Jagat Narayan Singh, Resident of Village - Kurma, P.O. Channo, Ekchari, P.S. Rasalpur, Kahalgaon, District Bhagalpur. Presently posted as Assistant Teacher in Middle School, Kurma, Channo, P.S. Rasalpur, Kahalgaon, District Bhagalpur.
38. Ajit Kumar @ Ajeet Kumar, Son of Ram Bricksh Sah, Resident of Village - Ekchari Bazar, Near P.H.E.D. Boring, P.S. Rasalpur, Kahalgaon, District Bhagalpur. Presently posted as Assistant Teacher in Primary School, Ekchari (Purab Tola), P.S. Rasalpur, Kahalgaon, District 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 District Account Officer, Bhagalpur.
8. The Regional Deputy Director of Education, Bhagalpur.
9. The District Education Officer, Bhagalpur.
10. The District Programme Officer (Establishment), Bhagalpur.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 8090 of 2020)

For the Petitioner/s : Mr. Jagjit Roshan, Adv.

For the State : Ms. Binita Singh, SC-28

(In Civil Writ Jurisdiction Case No. 8095 of 2020)

For the Petitioner/s : Mr. Jagjit Roshan, Adv.

For the State : Ms. Binita Singh, SC-28

(In Civil Writ Jurisdiction Case No. 8121 of 2020)

For the Petitioner/s : Mr. Jagjit Roshan, Adv.

For the State : Mr. Hitesh Suman, AC to SC 13

(In Civil Writ Jurisdiction Case No. 8128 of 2020)

For the Petitioner/s : Mr. Jagjit Roshan, Adv.

For the State : Mr. Amit Bhushan, AC to GP 17

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 16-11-2021

Heard Mr. Jagjit Roshan, the learned Advocate
for the petitioners in all the writ petitions and Ms. Binita
Singh, learned SC-28 for the State.

2. The learned counsel for the petitioners



submits that under similar circumstances, in case of *Nirendra Kumar & Ors. Vs. The State of Bihar & Ors.* in the proceeding arising out of *C.W.J.C. No. 11008 of 2014*, this Court has directed the District Education Officers, Patna, Gaya and Saran at Chapra respectively to examine the claim of the petitioners therein for grant of Matric trained scale.

3. The learned counsel for the State however points out that there are other set of decisions which has disentitled the petitioners from the relief what they are claiming.

4. Be that as it may, the counsel for the petitioners is ready to approach the District Education Officers, Muzaffarpur, Siwan and Bhagalpur respectively with respect to their respective claim for grant of Matric trained scale by way of filing a detailed representation.

5. In view of such prayer made on behalf of the respective petitioners, all the writ petitions are disposed off with the following direction.

6. The petitioners shall make their representations within a period of two weeks from today.



Thereafter, the concerned District Education Officers (respondent No. 8 in C.W.J.C. Nos. 8090/2020, 8095/2020 and 8121/2020 respectively and respondent No. 9 in C.W.J.C. No. 8128/20) would be obliged to consider the claim of the petitioners in accordance with law and dispose off the same by a reasoned/speaking order within a period of three months thereafter.

7. It is however also made clear that all the decisions shall be taken into account and the parties shall be heard in detail before passing any final order with respect to their entitlement to Matric trained scale and necessary sequel action shall be recommended.

8. With the aforesaid observation/direction, the writ petitions stand disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.11.2021
Transmission Date	N/A

