

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22503 of 2019

1. Shrikant Sharma S/o Late Bhageshwar Sharma R/o Renu Sadan, Gayatri Colony, Takichak, P.s.- Mojahidpur, Distt.- Bhagalpur, presently posted as Assistant Teacher, Middle School, Barouni, P.s.- Rajoun, Distt.- Banka
2. Ashwini Kumar Mandal S/o Late Tek Narayan Mandal Resident of At and P.o. and P.s.- Rajoun, distt.- Banka, Retired on 31.08.2019 as Assistant Teacher, Middle School, Morama, P.s.- Rajoun, Distt.- Banka
3. Subhash Chandra Mandal S/o Late Sakhi Chandra Mandal R/o Amahara, P.o.-Harchandi, P.s.- Rajoun, Distt.- Banka, presently posted as Assistant Teacher, Upgraded Middle School, Alipur Dhaniya Gariya, P.s.- Rajoun, Distt.- Banka
4. Raj Kumar Raman S/o Late Bindeshwari Pd. Singh R/o Nawada Bazar, P.o.- Nawada Bazar, P.s.- Rajoun, Distt.- Banka, presently posted as Assistant Teacher, Upgraded Middle School, Sakahara, P.s.- Rajoun, Distt.- Banka
5. Niraj Nikunj S/o Late Kusheshwar Sah R/o Pain, P.o.-Tilakpur, P.s.- Akbarnagar, Distt.- Bhagalpur, presently posted as Assistant Teacher, Primary School, Kadwara Rata (Dakshin Tola), P.s.- Fullidumar, Distt.- Banka
6. Subodh Kumar Singh S/o Late Baldeo Singh R/o Nawada Bazar, P.o.- Nawada Bazar, P.s.- Rajoun, Distt.- Banka, presently posted as Assistant Teacher, Upgraded Middle School, Mahesha Chanda, P.s.- Rajoun, Distt.- Banka
7. Shivram Kumar Singh S/o Late Nakul Prasad Singh Resident of Kunnath, P.o.- Padariya, P.s.- Shambhuganj, Distt.- Banka, presently posted as Assistant Teacher, Upgraded Middle School, Mahisota, P.s.- Shambhuganj, Distt.- Banka

... .. Petitioner/s

Versus

1. The Principal Secretary, Department of Education Govt. of Bihar, Patna
2. The Director Primary Education Department, Govt. of Bihar, Patna
3. The Regional Deputy Director of Education Bhagalpur
4. The District Education Officer Banka
5. The District Programme Officer (Establishment) Banka

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha, Advocate
For the Respondent/s : Mr. Ram Vinay Prasad Singh, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-07-2021

Heard Mr. Purushottam Kumar Jha, learned counsel



for the petitioners and Mr. Mr. Ram Vinay Prasad Singh, learned AC to GA-12 for the State through video conferencing.

2. The petitioners who are Matric Trained Teachers have raised a grievance in the present writ application for grant of Matric Trained Scale of Pay from the date of completion of three years service on the post of Assistant teacher inasmuch as the petitioners have made to suffer on account of lapses on the part of the respondents in sending them for inservice training belatedly.

3. Learned counsel for the petitioners submits that the case of the petitioners are fully covered by the orders passed by the co-ordinate Benches of this Court in CWJC Nos. 7322 of 2017, 10018 of 2019 and 19741 of 2019 (Annexures-1, 5 and 7) respectively. Learned counsel further submits that the petitioners proposed to file a fresh representation before respondent Nos. 4 and 5 raising their grievance, and, the same may be directed to be considered and disposed by respondent Nos. 4 and 5 in terms of the previous orders passed by co-ordinate Benches of this Court in the cases of similarly situated teachers.

4. Learned counsel for the State does not dispute the aforesaid submissions made on behalf of the petitioners and submits that the case of the petitioners is fully covered by



Annexures-1, 5 and 7.

5. Having regard to the submissions made by the parties and after carefully perusing the materials available on record, the petitioners are directed to file a fresh representation within a period of two weeks' from today and if such a representation is filed by the petitioners within the aforesaid period, the respondent Nos. 4 and 5 shall dispose of the same by speaking order, in accordance with law, within a period of eight weeks from the date of filing of the representation after taking into consideration the order passed in CWJC Nos. 7322 of 2017, 10018 of 2019 and 19741 of 2019 (Annexures-1, 5 and 7).

6. Needless to say that if any amount is found payable to the petitioners, the same shall be paid within a further period of one month from the date of disposal of the representation of the petitioner.

7. This writ application is, accordingly, disposed of with aforesaid directions.

(Anil Kumar Sinha, J)

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