

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8520 of 2019

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Ravindra Kumar Jha, Son of Upendra Jha, Resident of Ward Number 2,
Teacher Colony, Charitravan, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar, Through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Human Resource Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
5. The District Magistrate, Buxar cum The Chairman, District Compassionate Appointment Committee.
6. District Education Officer, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

Mr. Madhaw Prasad Yadav, GP-23

Mr. Arvind Kumar, AC to GP-23

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 02-08-2022

The petitioner has prayed for the following relief/s :-

- (i) Issuance of a direction, order or writ, including a writ in the nature of certiorari quashing Rule 10 and 12 of the Bihar Panchayat Primary Teachers (Employment and Service Conditions) Rules, 2006 as it is in violation of Article 14 of the Constitution and also violates the established principle of Equal Pay for Equal Work.



- (ii) Issuance of a direction, order or writ, including a writ in the nature of mandamus commanding the concerned respondent authority to grant the petitioner the benefits of Regular pay scale.
- (iii) Issuance of a direction, order or writ, including a writ in the nature of mandamus commanding the concerned respondent authority for grant of all consequential benefits in nature of arrear of pay or any other benefit which he is entitled to.
- (iv) Any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.

On 01.08.2022, we had passed the following order :-

“Despite repeated calls, none has entered appearance on behalf of the petitioner.

Learned counsel for the State contends that in view of the decision rendered by Hon’ble the Apex Court in case of **Mukesh Kumar & Anr. Vs. State of Bihar & Anr. Dated 03.04.2017**, since the original employee had expired on 30th of May, 2007, the petition only merits rejection.

In the interest of justice, matter is adjourned.

List this case tomorrow i.e. 02.08.2022.”

Even today, despite repeated calls, none has entered appearance on behalf of the petitioner. However, learned counsel for the respondent is present.



As such, the present petition stands dismissed for default.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/-

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