

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2318 of 2020

1. Vir Narayan Hansda S/o Late Rusen Hansda resident of Village and Post- Sudama Nagar, Bhawanipur, District- Purnea, Bihar- 854204.
2. Krishna Bihari Gupta S/o Late Dev Narayan Gupta resident of Village and Post- Puraini, P.S.- Chousa, District- Madhepura.
3. Bharti Kumari D/o Late Vakil Dev Mandal resident of Village- Malimia Diara, P.S. Sarsi, Block Banmankhi, District- Purnea.
4. Dharendra Prasad S/o Late Suresh Prasad resident of Education Colony, P.S. K.Hat, District- Purnea.
5. Bhagwan Hembrum S/o Late Gopal Hembrum resident of Village- Sukhsena Kothi, Lokanl, District- Purnea- 854202.
6. Md. Shakir S/o Late Soaib Shamshi resident of Village- Gudhinal, P.O. Aasaga Mawriya, P.S. Baisi, District- Purnea.
7. Ratnesh Kumar Mandal S/o Late Nageshwar Mandal resident of Village- Gadh Banaili, P.S. Jalalgardh, District- Purnea.
8. Md. Asad S/o Late Md. Badrul Haq resident of Village- Vishariya, P.O. Akarthopa, P.S. Bhargama, District- Araria. All of them posted as clerk in the District Education Officer, Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, New Secretariat, Bailey Road, Patna, Bihar.
2. The Director (Secondary Education), Govt. of Bihar, New Secretariat, Bailey Road, Patna, Bihar.
3. The Regional Deputy Director of Education, Purnea.
4. The District Education Officer, Purnea, Bihar.
5. The District Education Officer, Kishanganj, Bihar.
6. The District Education Officer, Katihar, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate Mr. Jyoti Ranjan Jha, Advocate
For the Respondent/s	:	Mr. Ashutosh Ranjan Pandey (Aag15) Mr. Vinay Kumar Mishra, AC to AAG-15/AAG-13

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 30-11-2023



Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners have filed the present writ petition directing the respondents for up-gradation of his pay scale to the band of 4000/- to 6000/- and payment of arrears of the petitioners since date of his appointment in the light of judgments passed by the Hon'ble Court in CWJC No.23243 of 2019, CWJC No.17151 of 2018 and L.P.A. No.167 of 2016.

3. Learned counsel for the petitioners submits that no order has been passed on their representation which is annexed as Annexure-12.

4. Learned counsel for the State submits that a direction may be given to the concerned authority to pass order on the same in the light of Bihar State Litigation Policy, 2011.

5. It is made clear to this Court that Bihar State Litigation Policy, 2011, is very much clear and Section 4C states as follows:-

“4.C. A good number of cases are from the category of similar cases. Each Government Department will aim to consider and settle the claim of the representationist/applicant employee /citizen, if the claim is found covered by



any decision of the Court. Many service matters of this nature, can be disposed of at the level of the Department itself without compelling the litigant to come to the Court. In this manner, the Government Departments would be acting as efficient litigants.”

6. Since the Bihar State Litigation Policy, 2021 has statutory effect as it has already been passed by the legislator. Therefore, respondent No.3, the Regional Deputy Director of Education, Purnea, is directed to pass a reasoned and speaking order on the representation of the petitioners within 90 days from the date of receipt of a copy of this order.

7. With this direction, this writ petition is disposed of.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.12.2023
Transmission Date	NA

