

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16402 of 2015

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1. Baidya Nath Ram and Anr Son of Sri Sakalu RAM, resident of Village-Lodipur, P.S.- Goraul, District- Vaishali
 2. Rajendra Chaudhary, Son of late Balchand Chaudhary, resident of Mohalla-Husankhan Katra, P.S.- Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Bihar, Patna.
3. The District Programme Officer Establishment, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Prabhu Nath Pathak
For the Respondent/s : Mr. Anuj Kumar, AC to GP 22

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-03-2023 Heard learned Counsel for the parties concerned.

The petitioners, who retired as Headmasters, have filed this writ application for grant of I. A. Trained Scale with effect from 01.04.1982, B. A. Trained Scale with effect from 01.04.1986 and scale of Headmasters with effect from 01.04.1992 inasmuch as they have been given junior selection grade with effect from 01.04.1984, B.A. Trained scale with effect from 01.04.1988 and scale of the headmaster with effect from 04.07.1997.

Learned Counsel for the State, referring to the counter affidavit, submits that as per Rule 14 of the Bihar Taken over Elementary School Teachers Promotion Rules, 1993, the



petitioners have got remedy of appeal before the Divisional Commissioner.

Since the petitioners have not approached the Divisional Commissioner regarding their grievance, accordingly, this writ application is disposed with liberty to the petitioners to file an appeal before the Divisional Commissioner within a period of thirty days from today.

If the appeal is filed before the Divisional Commissioner within a period of thirty days from today, the Divisional Commissioner shall consider the same and pass a reasoned order in accordance with law within a period of six months from the date of filing of the appeal before him.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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