

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9168 of 2015

=====

Md. Murtaza Ali son of Md. Sayeed Mistree, R/O Mohalla-Mirdad, PO-Bihar Sharif, District-Nalanda (Bihar) at presently working as Headmaster, Primary School, Cheran, Harnaut, Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Human Resources Department, Government of Bihar, Patna
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Nalanda,
4. The Regional Deputy Director, Patna Division Patna & Ors.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha
For the Respondent/s : Mr.Ashok Kumar Keshri

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 18-04-2023 The petitioner has approached this Court with a grievance of non grant of graduate scale with effect from 29.11.2012. He was appointed as teacher on 02.09.1994 in Primary School, Cheran, Harnaut (Nalanda). The petitioner was given matric trained scale w.e.f. 01.10.2003. Final gradation list of graduates Arts teacher was published in which name of the petitioner is at serial no. 418, but the petitioner was not granted the graduate trained scale and the persons junior to the petitioner were granted graduate trained scale with effect from 29.11.2012.

A counter affidavit has been filed on behalf of the State stating therein that the petitioner has been granted the graduate trained scale *vide* Memo No. 3162 dated 16.08.2018



with effect from the date the petitioner joins the school as per notification under graduate trained pay scale.

Rule-18 of Bihar Prarambhik Vidyalaya Shikshak Pronnati Niyamavali 2011 prescribes for appeal before the Regional Deputy Director of the area where the petitioner may raise his remaining grievance. Accordingly, this writ petition is disposed of with liberty to the petitioner to prefer an appeal under Rule-18 of Bihar Prarambhik Vidyalaya Shikshak Pronnati Niyamavali 2011 before the competent authority within a period of 30 days from today. If such an appeal is filed by the petitioner along with condonation of delay petition, the concerned authority shall consider the same in accordance with law.

It is expected that the appeal shall be disposed by the appellate authority within a period of three months from the date of filing of the same.

(Anil Kumar Sinha, J)

perwez

U			
---	--	--	--

