

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11456 of 2023**

Deepak Kumar, Son of Late Ramesh Prasad Singh Choudhary, working as clerk in office of the District Education Officer, At and P.s. and District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director (Secondary Education), Government of Bihar, Patna.
2. The Director (Secondary Education), Bihar, Patna.
3. The Regional Deputy Director of Education, Patna.
4. The District Education Officer, Patna.

... .. Respondent/s

**Appearance :**

For the Petitioner : Mr. Amaresh Kumar Singh, Advocate  
For the State : Mr. Prabhakar Jha, GP-27

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      10-10-2023                      1. Heard learned counsel for the petitioner and learned counsel for the State.

2. Learned counsel for the petitioner submits that the petitioner was appointed after 28.09.1999 in the clerical cadre. It is submitted that he is entitled to the scale of Rs. 4,000-6,000, as modified from time to time in terms of decision/s rendered by Division Bench of this High Court in the case of *Avinash Kumar Chakerwarty & Ors. vs. The State of Bihar and Ors.* passed in *LPA No. 167 of 2016*, as well as decision rendered by a coordinate bench in the case of *Binit Kumar and Ors. versus The State of Bihar and Ors.* passed in *CWJC No. 9921 of*



2017, and decision of Division Bench in the case of *State of Bihar & Ors. Vs. Biresh Kumar Singh & Ors.* recently decided in *LPA No. 766 of 2019*. For the claimed benefit, he has approached the Regional Deputy Director of Education, Patna (Respondent No. 3) by filing representation (Annexure-P/8 series to the writ petition) and the claim is pending consideration.

3. In view of the grievance raised by the petitioner, the claim based on parity is yet to be considered by the Regional Deputy Director of Education, Patna (Respondent No. 3). The court, therefore, is not called upon to adjudicate any issue at present.

4. The petitioner's representation (Annexure-P/8 series to the writ petition) is required to be considered and disposed of by the Regional Deputy Director of Education, Patna (Respondent No. 3) by a reasoned and speaking order. The decision is required to be taken positively within eight weeks from the date of receipt/production of a copy of this order along with a copy of petitioner's representation (Annexure-P/8 series to the writ petition). If dues are found admissible, it is needless to say, that the petitioner must be paid the same within a period of eight weeks thereafter.



5. Writ petition is accordingly disposed of.

(Madhuresh Prasad, J)

shashank/-

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