

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8517 of 2015

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Sabahuddin Azeem Son of Late B.I. Azeem Resident of Mohalla - Malighat,
P.S. Mithanpur, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Education Department, New Secretariat, Govt. of Bihar, Patna
2. The Accountant General Bihar, Veer Chand Patel Path, Patna
3. The Director Administration Cum Additional Secretary, Education Department, New Secretariat, Gov
4. The Principal Govt. of Zila School Muzaffarpur, District - Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pratap Sharma, Advocate

For the Respondent/s : Mr. Anuj Kumar, Advocate, AC to GP 24

For the Accountant General: Mr. Raj Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

19 25-07-2024 1. The petitioner has filed the present writ application for payment of consequential benefits in Bihar Education Service Class-II in pursuance of the resolution dated 07.07.2006 and also for benefits of junior and senior selection grade in the Bihar Education Service.

2. Learned counsel for the State submits that the relief prayed for in the present writ application has been granted to the petitioner and the petitioner has been given junior and senior selection grade with effect from 01.04.1995 and 01.01.1996



respectively.

3. Learned counsel for the petitioner at this juncture submits that as per the resolution of the State Government and the Bihar Education Service Rules, 2014 framed under Article 309 of the Constitution of India dated 12.02.2014; the petitioner is entitled to be given the pay scale for the post of Bihar Education Service Class-I after giving promotion at the third level as per Rule 17 of the aforesaid Rules in the pay scale of Rs. 14,300 -400- 18,300/-, but the same has not been given to the petitioner.

4. Learned counsel for the State submits that the initial prayer of the petitioner has been granted, however, subsequent prayer by way of interlocutory application has been added in which the petitioner has raised a separate issue, which may be decided separately by filing a fresh writ application by the petitioner.

5. Having heard learned counsel for the parties and taking into consideration the nature of prayer, the present writ application is disposed with liberty to the petitioner to file a detailed representation with regard to his fresh prayer before the Additional Chief Secretary, Education Department, Government of Bihar, Patna within a period of two weeks from today.



6. If such a representation is filed by the petitioner, the respondent / Additional Chief Secretary, Education Department, Government of Bihar, Patna is directed to dispose the same in accordance with law after giving opportunity of hearing to the petitioner within a period of three months from the date of filing of the representation.

(Anil Kumar Sinha, J)

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