

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7038 of 2022

1. Rakesh Ranjan Son of Late Kaushal Kumar Resident of Village- Mahsaura, P.S.- Ramgarh Chowk, District- Lakhisarai (Bihar).
2. Ranjana Kumari Wife of Rakesh Ranjan Resident of Village- Mahsaura, P.S.- Ramgarh Chowk, District- Lakhisarai (Bihar).
3. Ranjeet Kumar Son of Brindabani Singh Resident of Village- Rampur, P.S.- Suryagarha, District- Lakhisarai (Bihar).
4. Gajendra Kumar Son of Ramjee Yadav Resident of Village- Basmatiya, P.S.- Kiul, District- Lakhisarai (Bihar).
5. Sunil Kumar Chandrabanshi Son of Mathura Prasad Chandrabanshi Resident of Village- Bhola Tola English, Ward No.2, P.S. and District- Lakhisarai (Bihar).
6. Sanjita Kumari Daughter of Rajendra Choudhary Resident of Village, P.O., P.S. and District- Lakhisarai (Bihar).
7. Rekha Kumari Wife of Shashi Kant Nirala Resident of Village- Mansoorchak, Ward No.8, Lakhisarai, P.S. and District- Lakhisarai (Bihar).
8. Abhilasha Kumari Wife of Sunil Kumar Resident of Village, P.O. and P.S.- Barahiya, District- Lakhisarai (Bihar).
9. Rakesh Kumar Paswan Son of Shivdhari Paswan Resident of Village- Mohiya, P.O.- Pratappur, P.S.- Halsi, District- Lakhisarai (Bihar).
10. Renu Kumari Daughteer of Devendra Prasad Resident of Village- Khutha Dih, P.S.- Barahiya, District- Lakhisarai (Bihar).
11. Archana Kumari Wife of Randhir Kumar Sharma Resident of Village- Mirjaganj, P.S.- Barahiya, District- Lakhisarai (Bihar).
12. Niharika Kumari Daughter of Ganesh Prasad Singh Resident of Village- Khutha Dih, P.S.- Barahiya, District- Lakhisarai (Bihar).
13. Somari Kumari Wife of Dhiren Munda Resident of Village- Mirjaganj, P.S.- Barahiya, District- Lakhisarai (Bihar).
14. Kunwar Paswan Son of Rajo Paswan Resident of Village- Lalpur, P.S.- Halsi, District- Lakhisarai (Bihar).
15. Virendra Paswan Son of Daljeet Paswan Resident of Village- Kumaittha, P.S.- Halsi, District- Lakhisarai (Bihar).
16. Veena Kumari Wife of Ram Pravesh Kumar Resident of Village- Rampur, P.S.- Suryagarha, District- Lakhisarai (Bihar).
17. Ravikant Bhushan Son of Laxmi Narayan Mahto Resident of Village- Pratappur, P.S.- Halsi, District- Lakhisarai (Bihar).
18. Karyanand Singh Son of Chandrika Singh Resident of Village- Fatehpur, P.S.- Halsi, District- Lakhisarai (Bihar).
19. Tripurari Kumar Son of Narssingh Prasad Resident of Village- Ghatwari, P.S.- Dharahra, District- Munger (Bihar).

... .. Petitioner/s



Versus

1. The State of Bihar through Secretary, Department of Primary Education, Government of Bihar, Patna.
2. The Secretary, Department of Primary Education, Government of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Lakhisarai.
5. The District Programme Officer (Establishment), Education Department, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Lalan Kumar, Advocate
For the Respondent/s : Mr. Madanjeet Kumar (Gp20)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 13-11-2024 Heard the parties.

2. This writ application has been filed for the following reliefs:

“(A) In the nature of "Certiorari" for setting aside the order as contained in Memo No. 1900 dated 04.10.2019 whereby and where under it has been directed that the untrained teachers who have completed 2 years of training and were entitled for Grade pay from the date of completion of in service training they shall be entitled to draw the Grade pay only up to index-III of basic pay as directed in resolution no. 1632 dated 21.06.2017.

(B) In the nature of "Mandamus" directing and commanding the respondent authorities to grant the petitioners the Grade Pay and trained pay scale with effect from last date of completion of in service training and fixed their pay



accordingly.

(C) In the nature of "Mandamus" commanding and directing the respondent authorities not to reduce the Basic Pay of the petitioners which they were getting before implementation of 15% salary hike as per basic pay.

(D) In the nature of "Certiorari" for setting aside the pay fixation of the petitioners on 15% hike which has been fixed as on 01.01.2022 as 26210/- taking into account the reduced basic pay as on 01.04.2021 as Rs.22130/-and not calculating the 15% increase as per Basic Pay of Rs 22790 as on 1.04.2021 which they were in receipt and further for a direction to re-fix the same accordingly.

(E) For any other relief/reliefs for which the petitioners may be found entitled to in the facts and circumstances of the case."

3. After some argument, learned counsel for the petitioners seeks disposal of the writ application granting liberty to the petitioners to file detailed representation before the Director, Primary Education, Govt. of Bihar, Patna (Respondent No. 3) for redressal of their grievances.

4. In view of the aforesaid submission, writ petition is disposed of granting liberty to the petitioners to file fresh representation before the Director, Primary Education, Govt. of Bihar, Patna (Respondent No. 3) with all the supporting



documents within a period of six weeks from today.

5. If such, representation is filed by the petitioners within the stipulated time period, Respondent No. 3 shall dispose of the same, after hearing the parties, by a speaking and reasoned order, in accordance with law, within a period of eight weeks from the date of filing of such representation.

6. Writ application stands disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

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