

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7137 of 2022

Divyank Raj Son of Late Arjun Prasad, Resident of Village- Aliganj, Near Thakurbari, Islamnagar, P.S.- Chandradip, District- Jamui. Presently posted as Assistant Teacher in Middle School, Pariauna, Noor Sarai, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
5. The Director, Primary Education, Government of Bihar, Patna.
6. The District Magistrate, Nalanda.
7. The Regional Deputy Director of Education, Patna Division, Patna.
8. The District Education Officer, Nalanda.
9. The District Programme Officer (Establishment), Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jagjit Roshan, Advocate
For the Respondent/s	:	Mr. Jitendra Kr. Roy 1, (SC-13)
		Mr. Bijay Bhushan Prasad, AC to SC-13

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 01-07-2024

Heard learned counsel for the parties.

2. The petitioner, who was appointed as Assistant Teacher in Middle School, Milki, Purnea on compassionate ground in Untrained Scale of 3050 – 4590/- by the Office Order issued by the Deputy Superintendent of Education, Purnea vide Memo No. - 1940 dated 10.09.2002 and now working as Assistant Teacher in Middle School, Pariauna, Noor Sarai, District – Nalanda, since



2014 has filed this writ petition seeking a direction to the respondents to pay the petitioner Matric Trained Pay Scale after three years from the date of his appointment or from 01.10.2003 in the light of Order dated 11.04.2018 passed in C.W.J.C. No. 7322 of 2017 and Order dated 31.07.2018 passed in C.W.J.C. No. 13734 of 2012, as the petitioner's case is squarely covered by the above two decisions.

3. Respondent No. 9 has filed a counter affidavit, wherein, in paragraph no. 10, thereof, it has been stated that the case of the petitioner for payment of Matric Trained Pay Scale is under consideration by the Department for which the respondent no. 9 vide letter no. 3312 dated 06.09.2022 has asked the petitioner to appear before the respondent no. 9 with some document and certificates so that his grievances may be redressed in accordance with law. In paragraph no. 11 of the counter affidavit of the respondent no. 9, it has been further stated that the grievances of the petitioner is under consideration and it will be sorted out by the Department very soon.

4. It appears that the petitioner has not approached the respondent no. 9 nor there are materials to show that the petitioner has ever approached the respondent no. 9 as directed vide letter no. 3312 dated 06.09.2022 of the respondent no. 9, asking the



petitioner to appear before him with some documents and certificates so that his grievances could be addressed in accordance with law.

5. Under the circumstances, this writ petition, with the consent of learned counsel for the parties, is hereby disposed of with a direction to the petitioner to appear before the respondent no. 9 and submit necessary documents sought for by the respondent no. 9 for payment of Matric Trained Pay Scale to the petitioner at the earliest. As and when, the petitioner appears before the respondent no. 9 with necessary documents, the case of the petitioner shall be considered as expeditiously as possible and in any case not later than eight weeks from the date of appearance of the petitioner before the respondent no. 9.

6. The writ petition is disposed of with the above direction.

(Nani Tagia, J)

Siddharth
Sagar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.07.2024
Transmission Date	NA

