

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7898 of 2024

1. Hairdeo Das Son of Late Sahdeo Sad Resident of Ward no. 4, Rajaur, P.S.- Garahpura, District - Begusarai. Posted U.M.S Godhiyari Anchal Bakari, District - Begusarai.
2. Ram Pravesh Mahto Son of Late Bino Mahto Resident of Ward No.-37, Chitrgupt Nagar, Pokharia, P.S.- Begusarai, District - Begusarai.
3. Mantun Mahto Son of Late Lakhan Mahto Resident of Village - Raghubar Nagar Bagha Chauri, Ward No.-29, Baghi, P.S.- Nagar Thana, District - Begusarai. Posted at Utkramit Middle School Hardia, District - Begusarai.
4. Pravin Kumar Gupta Son of Sri Radhe Shyam Resident of Village - Chakiya, P.S.- Barauni, District - Begusarai. Posted at U.M.S. District - Purnwas, Block - Matihani, District - Begusarai.
5. Shashi Kumar Chaudhary Son of Krishna Chaudhary Resident of Ward No. 6, Mahana, P.S.- Barauni, District - Begusarai. Posted at U.M.S Nurpur Anchal - Barauni, District - Barauni.
6. Manoj Kumar Singh Son of Late Prem Sagar Singh Resident of Village Ward No.3, Rajaura, P.S.- Mufsil Begusarai, District - Begusarai. Posted at M.S. Bagha Begusarai, District - Begusarai.
7. Rajesh Kumar Son of Late Mahendra Prasad Singh Resident of Village Hanspur, P.S.- Nayagaon, District - Begusarai. Posted as Middle School Badalpura, P.S.- Matihani, District - Begusarai.
8. Anil Kumar Son of Late Surya Narayan Sah Resident of Village - Singhpur, P.S. District - Begusarai. Posted at Middle School Badha, Begusarai, District - Begusarai.
9. Sheo Kumar Singh Son of Late Ramashrya Singh Resident of Village - Parra, P.S.- Birpur, District - Begusarai. Posted at Primary School Muradpur, Block - Birpur, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Munger.
6. The District Education Officer, Begusarai.
7. The District Program Officer (Establishment), Begusarai.
8. The District Account Officer, Begusarai.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey, Advocate
For the Respondent/s : Mr. Standing Counsel (23)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-11-2024 Heard the parties.

2. This writ application has been filed for directing the respondents to consider the Sahitya Alankar Degree acquired by the petitioners equivalent to a graduation degree and by virtue of the same, petitioners be granted promotion as per stipulated rules and pay arrears from the date of their eligibility for promotion and further to direct the respondents to pass appropriate order in the light of issue decided by Hon'ble High Court in 2019 (3) PLJR 1291 F.B. and to modify the office order dated 25.09.2023 contained in Annexure-2 of the writ application.

3. Learned counsel for the petitioners submits that issue raised by the petitioners in the present writ application is squarely covered by Full Bench judgment of this Court passed in CWJC No. 11255 of 2016 (Rama Shankar Patel & Ors. Vs. The State of Bihar & Ors.)

4. In view of the aforesaid submission, petitioner is directed to file detailed representation before the District Education Officer, Begusarai (Respondent No. 6) with all the



supporting documents along with the copy of Full Bench judgment of this Court passed in CWJC No. 11255 of 2016 within a period of three months from today.

5. If such, representation is filed by the petitioner within the stipulated time period, Respondent No. 6 shall dispose of the same, after hearing the parties, by a speaking and reasoned order, in accordance with law, within a period of three months from the date of filing of such representation.

6. If, it is found that petitioners are entitled for the consequential benefits, the respondents shall grant all the consequential benefits to the petitioners within a period of three weeks thereafter.

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

(Prabhat Kumar Singh, J)

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