

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8259 of 2024

1. Rakhi Kumari Wife of Jayant Bhardwaj, Resident of Mohala Rahmganj, P.O.- Lalbagh, Police Station Laheriasarai, District- Darbhanga.
2. Prabhat Kumar son of Ram Punit Mishra, Resident of - Madhopur, P.O.- kabujar, Police Station- Moro, District- Darbhanga.
3. Nasir Sahakeel son of Md. Abulais Rizvi, resident of Hussainabad, Araila, Police Staion- Moro, Darbhanga, District- Darbhanga.
4. Rakesh Kumar Singh son of Madan Prasad Singh, resident of 107, Gangasagar, Lalbagh, Police Station- Laheriasarai, Darbhanga, District - Darbhanga.
5. Md. Monazir Hassan son of Md. Noor Hassan, resident of Ward No. 10, Saraiya Tharma, Police Station- Simri, District- Darbhanga.
6. Mamta Kumari Daughter of Shashi Kant Jha resident of Navtol, Bahadurpur, Police Station - Bahadurpur, Darbhanga, District- Darbhanga.
7. Kumari Amina Daughter of Bashishth Narayan Singh, Wife of Ramsamagat Choudhary, resident of Patory, Police Station - Moro, Darbhanga, Distict- Darbhanga.
8. Md. Monowaruzzma Zaman son of Md. Shahzada Qumruzzaman, resident of Tharma, P.O. and P.S.- Gayghat, Muzaffarpur, District- Muzaffarpur.
9. Fatma Jabeen Daughter of Md. Naseem, Wife of Reza Ahmad, resident of Ward No. 33, Rahamganj, Lalbagh, Darbhanga District- Darbhanga.
10. Shahina Tabassum Daughter of Shamil Ahmad, Wife of Md. Masoom Ashraf, Resident of Ward N. 32, Chhoti Kajipura, Lalbagh, Darbhanga, District- Darbhanga.
11. Manoj Kumar son of Bacheshwar Mandal, resident of Ward No. 44, Shahganj, P.O.- D.M.C., P.S. Laheria Sarai, Darbhanga, District- Darbhanga.
12. Sunita Kumar Daughter of Ramnandan Prasad Singh, Wife of Trilok Narayan Singh, resident of VIP Colony Khaja Sarai, Ward No. 48, Police Station - Laheriasarai, District- Darbhanga.
13. Jeetendra Kumar Jha son of Late Nilambar Jha, resident of Gonaun, Police Station - Ghanshyampur, District- Darbhanga.
14. Sangita Verma Daughter of Siddheswar Nath Verma, Wife of Basant Kumar Srivastava, Resident of near Head Post Office, Lalbagh, Darbhanga, District- Darbhanga.
15. Sudha Kumari Daughter of Ramchandra Ishwar, Wife of Sunil Kumar Roy, Resident of Bahadurpur, P.S.- Laheria Sarai, Darbhanga, District- Darbhanga.
16. Neezamuddin Ahmad S/o Raisuddin Ahmad, Resident of Lalbagh East of Town Hall, Lalbagh, District- Darbhanga.
17. Harishchandra Jha son of Abhinath Jha, R/o Gandhinagar Katirahiya Kabirchak, Police Staion- Sadar, District- Darbhanga.
18. Lakshmi Kumari D/o Hanuman Prasad Choudhary, W/o Amarnath Choudhary, Resident of Ward No. 47, Fulwari, P.S. Laheriasarai, District- Darbhanga.
19. Rakesh Kumar Tiwary Son of Anand Kumar Tiwary, resident of Behind Pustak Bhandar, Balbhadrapur, P.S.- Laheriasarai, District- Darbhanga.
20. Sangita Sharma D/o Ramanand Sharma, W/o Bhola Singh, resident of Balbhadrapur, P.S. Laheria Sarai, District- Darbhanga.
21. Surya Narayan Prasad Son of Ram Bilash Prasad, resident of Baheri, Police Station- Baheri, District- Darbhanga.
22. Khurshid Alam son of Shafique Ahmad, resident of Khaisa, P.S.- Jamalpur, Biroul, District- Darbhanga.
23. Kamare Alam son of Md. Ayub, resident of Pohaddi, Police Station - Benipur, District- Darbhanga.
24. Narendra Kumar Thakur son of Ram Pasarath Thakur, resident of Village - Sridipur, P.O.- Anandpur, Police Station - Bahadurpur, Darbhanga, District- Darbhanga.
25. Manju Kumari D/o Ramsundar Roy, w/o Umesh Roy, resident of Village- Moro, Police Station- Moro, District- Darbhanga.
26. Seema Kumari D/o Ramadeo Prasad Verma, W/o Rakesh Kumar Sinha, resident of Juravan Singh Marg, Lalbagh, Hasanchak, Police Station- Town, District- Darbhanga.
27. Ranjit Kumar Jha son of Nawal Kishor Jha, resident of Commercial Chouk near Gudri



- Bazar, Police Station - Laheriasarai, District- Darbhanga.
28. Meena Kuamri D/o Upendra Jha, W/o Ranjit Kumar Jha, resident of Commercial Chowk, Near Gudri Bazar, Police Station - Laheriasarai, District- Darbhanga.
 29. Amit Kumar son of Vijay Kumar Choudhary, resident of Patori, Police Station- Patori Basant, District- Darbhanga.
 30. Aftab Alam Khan son of Mustaque Ahmad Khan, resident of Jamalpur, Police Station - Jamalpur, District- Darbhanga.
 31. Namita Kumari D/o Prem Narayan Jha, W/o Arun Kumar Jha, resident of Village-Sunderpur, P.O. Basudevpur, Police Station - Sadar, District - Darbhanga.
 32. Meena Kumari D/o Chandrashekhar Jha, W/o Kirti Krishna, resident of Balbhadrapur, Police Station - Laheriasarai, Darbhanga, District- Darbhanga.
 33. Arvind Kumar Jha son of Ayodhya Jha, resident of Babubarhi, Police Station - Andhrathadi, District- Madhubani.
 34. Vinod Kumar Upadhyay son of Rama Shankar Upadhyay, resident of Kalisthan, Bagha Bazar, P.O Bagha, Police Station - Bagha, District - West Champaran.
 35. Juliana Peter W/o Amit Edward, Resident of Padri Dussaia, Sahebtola, P.O. - Banuchapar, Bettiah, District- West Champaran.
 36. Fredy Kumar son of Simon Thakur, resident of Chakhni, P.O. - Rajwatia, District - West Champaran.
 37. Manoj Kumar Jha, son of Hitnarayan Jha, resident of Lagma, Police Station- Sakatpur, District - Darbhanga.
 38. Suja Tara, D/o of Simon Peter Das, resident of Sonkhar, Ramnagar West Champaran, District - West Champaran.
 39. Vivek Samuel, son of Samuel Jakob, Resident of Ward No. 12, Near Uttar Bihar Gramin Bank, Chuhari, Police Station -Chanpatia, West Champaran.
 40. Akhilesh Kumar Singh, son of Radhey Shyam Singh, resident of Dobhiya, P. O. - Kanhauli, Police Station - Daruli, Siwan West Champaran.
 41. Angila Kiran Albert, D/o Albert Julius Dicruz, Christian Quarter, Bettiah, West Champaran.
 42. Md. Imran, son of Late Jameel Akhtar, resident of Shaikh Tola (Gauripur) P.O. Parsauni - Sikta, West Champaran.
 43. Madan Prasad Gupta, son of Rajendra Prasad Gupta, resident of - Keshariya, P.O. - D.K. Sikarpur, District - West Champaran.
 44. Shoe Chandra Gupta, son of Late Ramnarayan Sah, resident of Mohalla - UMS Pakri Ward No. 19, P.O. - Narkatiyaganj, Police Station - Shikarpur, District - West Champaran.
 45. Tanuja Kumari, D/o - Prabhunath Thakur, W/o Ranjeet Kumar Pandey, resident of Ward No. 5, Lauria, West Champaran.
 46. Chandrabhushan Pandey, son of Narmadeshwar Pandey, resident of Mohalla - Belwa, Ward No. 02, P. O. - Dhobni, Police Station - Lauria, District - West Champaran.
 47. Kiran Tripathi, D/o Manwendra Nath Tiwari, resident of Jaitia, Chanpatia, District - West Champaran
 48. Shashi Bala Singh, D/o Ramchandra Prasad Singh, Wife of Deepak Kumar, resident of Ward No. 2, Harinagar, Nepali Tola, Ramnagar, District- West Champaran.
 49. Shilpi Kumari Verma, D/o Rambilash Prasad, W/o Rajiv Ranjan, resident of Banuchhapar, Police Station- Muffasil, District - West Champaran.
 50. Mukesh Srivastava, son of Madhusudan Srivastava, resident of Subhash Chowk, Ward No. 4, Khiriaghat, Bhitana Nizamat, District- West Champaran.
 51. Vinay Kumar, son of Laxmi Prasad Singh resident of Station Chowk, Bettiah, District- West Champaran.
 52. Anita Kumari, W/o Arun Kumar Rao, Resident of Mill Bahuwari, Ramnagar, District -West Champaran.



- 53. Lal Bahadur Prasad, S/o Bachcha Prasad, resident of Near Middle School, Chautarwa, District - West Champaran.
- 54. Mercy Kumari, D/o John Brito, resident of Chakhri, P. O.- Rajwatia, Police Station- Bagha, District - West Champaran.
- 55. Aditya Kumar Yadav, son of Jatashankar Yadav, resident of Chautarwa, Bargaon, Ward No. 3, Bagha-1, District - West Champaran.
- 56. Preeti Kumari, D/o Noel Clement Sah, W/o Nikhil Sanga, Resident of Chakhni, Police Station - Bagha, District - West Champaran.
- 57. Pradip Upadhyay, son of Gopal Upadhyay, resident of Chargaha, Ward No. 4, San Sariya, Nautan, District - West Champaran.
- 58. Abhishek Kumar Rai, son of Madansen Rai, resident of Mirjatola, North Pokhra, Bettiah, District - West Champaran.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Additional Chief Secretary, Department of Human Resources and Development, (Education), Government of Bihar, Vikash Bhwan, Sachiwalaya, Bailey Road, Patna.
- 2. The Director, Primary Education, Government of Bihar, Vikash Bhawan, Sachivalya, Bailey Road, Patna.
- 3. The District Magistrate, Laheriasarai, Darbhanga.
- 4. The Regional Deputy Director of Education, Darbhanga, Division Darbhanga.
- 5. The District- Education Officer, Darbhanga.
- 6. The District Program Officer (Establishment), Darbhanga.
- 7. The District Magistrate, West Champaran at Bettiah.
- 8. The Regional Deputy Director of Education, Bettiah, West Champaran.
- 9. The District Education Officer, Bettiah, West Champaran.
- 10. The District Programme Officer (Establishment), Bettiah, West Champaran.
- 11. The Chief Executive Officer, Darbhanga Municipal Corporation, Darbhanga.
- 12. The Executive Officer, Nagar Parishad, Bettiah, West Champaran.
- 13. The Executive Officer, Nagar Panchayat, Ramnagar (West), West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Das, Advocate Mr. Apurv Harsh, Advocate Mr. Manu Tripurari, Advocate Mr. Hritik Anand, Advocate
For the Respondent/s	:	Mr. Government Pleader (23)

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT
Date : 25-09-2024

Heard learned counsel for the parties.

2. The petitioners are Graduate Trained Panchayat Teachers, who have approached this Court with two-fold



grievances, namely, (i) to declare the petitioners as Graduate Grade Trained Teachers Specific Scale and to pay them the consequential benefits and (ii) to direct the respondents to accept the examination form of Sakshamata Examination for Class 6 to 7.

3. Insofar as the first grievance of the petitioners are concerned, it relates to grant of higher scale of pay. Accordingly, insofar as the first grievance of the petitioners, who are Panchayat Teachers seeking grant of higher scale of pay, a remedy under the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020 has been provided to approach the concerned District Appellate Authority for redressal of the grievances of the petitioners with regard to their conditions of service. Accordingly, insofar as the prayer No. 1 is concerned, the instant writ petition is not entertained by this Court in a writ petition filed under Article 226 of the Constitution of India. Liberty, however, is granted to the petitioners to approach the concerned District Appellate Authority.

4. Insofar as the second grievance of the petitioners seeking a direction to the respondents to accept the examination form of Sakshamata Examination for Class 6 to 7, the authority, who conducts the Sakshamata Examination is stated to be the



Bihar School Education Board, which has not been made a party-respondent in the instant writ petition.

5. In such circumstances, this writ petition shall stand disposed of with a liberty granted to the petitioners to file a fresh writ petition by impleading the authority, who conducts the Sakshamata Examination for Class 6 to 7 as respondent, if so advised.

6. In the event, the petitioners file such a writ petition, the maintainability of such a writ petition may also be examined by the Court.

7. The writ petition is disposed of in terms above.

(Nani Tagia, J)

Siddharth
Sagar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.09.2024
Transmission Date	NA

