

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12670 of 2021

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1. Santosh Kumar Chandan Son of Late Kartik Prasad Singh, resident of Village - Hathia, P.S. Jhajha, District - Jamui.
 2. Ashutosh Kumar Jha, Son of Sri Shayam Sundar Jha, resident of Village - Kiul, P.S. Barauni, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Vikash Bhawan, Bailey Road, Patna.
2. Director, Secondary Education, Education Department, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
3. Regional Deputy Director, Education, Munger.
4. District Education Officer, Munger.
5. District Education Officer, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kishore Kumar Thakur, Adv. Mr.Braj Kishore Singh, Adv.
For the State	:	Mr.Madhukar Mishra, A.C. to S.C. 16

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 18-03-2024

Heard learned counsel for the petitioners and learned
counsels for the respondents.

2. The present writ application has been filed for the following
relief/s:-

*“(i) For a direction to the respondents to
extend the benefit of policy decision of the
respondent state circulated by the letter no.2424
dated 11.03.2013 and reiterated by subsequent letter
no.7780 dated 30.07.2013 as well as letter no-8921*



dated 07.12.2018 issued by the Finance Department of the respondent State under the signature of respondent Secretary of the said department.

(ii) Thereby the petitioners pray for a direction to the respondents to step up their salary in the pay scale of Rs.4000-6000, which has been made admissible to those Lower Division Clerks who entered the said cadre after the appointment of petitioners on being selected by the BPSC or on being given benefit of absorption by way of fresh appointment.”

3. Learned counsel for the petitioners submits that the petitioners' case is squarely covered by the order passed by this Court in C.W.J.C. No.12676 of 2021 on 13.03.2024. The said order has been passed in light of C.W.J.C. No.6661 of 2021 and L.P.A. No.167 of 2016 .

4. Considering the aforesaid facts, since the case of the petitioners stand on similar footing to that of the petitioners of C.W.J.C. No.12676 of 2021, C.W.J.C. No.6661 of 2021 and L.P.A. No.167 of 2016, there is no requirement to keep pending the present writ application.

5. Accordingly, the petitioners are directed to file a fresh representation before the District Education Officer, Munger (Respondent no.4) and the District Education Officer, Lakhisarai (Respondent no.5) along with a copy of this order and other



supporting documents within a period of four weeks from today.

6. The respondent nos.4 and 5 are directed to dispose off the representation of the petitioners within a period of eight weeks from the date of filing of the representation of the petitioner, by passing a reasoned and speaking order in accordance with law and keeping in view the order passed in L.P.A. No.167 of 2016. The respondents are directed to give chance of hearing to the petitioners or their counsel before passing the order.

7. The respondent nos.4 and 5 are directed to ensure compliance of this order and if the representation of the petitioners is not considered within the stipulated period, the respondent nos.4 and 5 shall be personally held responsible for non-complying the order of this Court.

8. With the aforesaid directions, this writ application is hereby disposed of. This (any amount/benefit received), however, shall be subject to the final outcome of the result of Civil Review No.236 of 2019 pending before the Larger Bench.

(Anjani Kumar Sharan, J)

pallavi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	27.03.2024
Transmission Date	N.A.

