

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11480 of 2022

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Dhananjay Prasad Yadav Son of Late Umesh Prasad Yadav Resident of Ward
No. 06 Bishanpur, P.S.- Kumar Khand, District- Madhepura. At present
working as Assistant Teacher in U.M.S Thatha Raghapur, District- Supaul.
... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Supaul.
4. The District Programme Officer (Establishment), Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Respondent/s : Mr.Kameshwar Kumar (Gp17)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 09-05-2024 Heard the parties.

2. Learned counsel for the petitioner submits that the
case of the petitioner is duly covered by the judgment passed by
a Co-ordinate Bench of this Court in Abdus Samad v. The State
of Bihar & Ors in CWJC No. 7322 of 2017 dated 11.04.2018.

3. Learned counsel next submits that the other cases
of similarly situated teachers have been decided in terms of
Abdus Samad case by this Court in CWJC No. 5092 of 2020.

4. The petitioner has filed the present writ petition for
a direction to the Respondents to grant Matric Trained Scale to
the petitioner from the date of completion of three years of his
initial appointment on the post of Assistant Teacher.

5. Learned counsel for the State submits that in terms



of Abdus Samad case, the petitioner may be directed to file a representation before District Programme Officer (Establishment), Supaul.

6. Having heard learned counsel for the parties and taking into consideration the submissions, the writ petition is disposed with liberty to the petitioner to approach the Respondent No.4/The District Programme Officer (Establishment), Supaul by filing a representation within a period of three weeks, which shall be decided by Respondent No.4 within a period of ten weeks from the date of receipt of the representation.

7. If it is found that the case of the petitioner is covered by the Abdus Samad, then similar benefits shall be granted to the petitioner.

8. With the aforesaid observation and direction, the petition stands dispose of.

(Anjani Kumar Sharan, J)

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