

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13467 of 2023

1. Mantun Kumar Son of Late Brahmdeo Thakur, Resident of ward no 41, Bari Eghu P.S. Mufsil Begusarai District- Begusarai posted at present posted M.S. Kothiya Block - Begusarai, District - Begusarai.
2. Balram Prasad Roy, son of Late Hareram Ray, Resident of Village - Jaimra ward no 10 Bihat Nagar Parishad P.S. Barauni District - Begusarai Posted at Assistant Teacher Utkramit Middle Bihat ward no. 3 Block Barauni, District - Begusarai.
3. Dinesh Kumar, Son of Narayan Mahto, Resident of ward no 37 Tetari P.S. - Dandari, District - Begusarai Posted as Rajyakrit Midle School, Pachambha Block Begusaria Sadar, 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
For the Respondent/s : Mr.Prabhakar Jha (Gp27)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and learned
counsel for the respondent/State.

2. This writ petition has been filed for following
reliefs:-

“(i) For quashing the order dated



12.04.2021 issued vide Memo no. 2121 by District Program Officer (Estb.), Begusarai by which illegally the senior pay-scale given by the department vide memo no. 2393 dated 20.09.2019 has been cancelled with immediate effect and also directed to recover the said amount in 20 installments.

(ii) For commanding and directing the respondent authorities to give the senior pay-scale after completion of 20 years of *kalawadhi* from the date have the matric trained scale.”

3. However, after some argument, learned counsel for the petitioners seeks permission to withdraw this writ application to pursue the appeal, which has been preferred by these petitioners and same is pending before the Regional Deputy Director of Education, Munger / Respondent no. 5.

4. Pursuance of multiple remedy for same relief before different fora renders the petition non-maintainable under Article 226 of the Constitution of India.

5. The writ application stands dismissed as withdrawn.

(Prabhat Kumar Singh, J)

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