

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15686 of 2022

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Sushma Kumari Wife of Dipak Kumar Singh, Resident of Ward No. 07, Naya Nagar, Rani Diyara, Kishundaspur, P.S.- Kahalgaon, District- Bhagalpur, Presently posted as Assistant Teacher in Middle School, Kagzi Tola, Kahalgaon, Block- Kahalgaon, District- Bhagalpur.

... .. 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 District Magistrate, Bhagalpur.
6. The Regional Deputy Director of Education, Bhagalpur.
7. The District Education Officer, Bhagalpur.
8. The District Programme Officer (Establishment) Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jagjit Roshan
For the Respondent/s : Mr.Madan Jeet Kumar (Gp 20)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 22-03-2024

Heard learned counsel for the petitioner and learned counsel for the State.

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

“(I) Issuance of an appropriate writ or writs in the nature of mandamus commanding the respondents for entitlement of petitioner for grant of Matric Trained Pay Scale after three years from



the date of their appointment or from 01.10.2003, whichever is later as there is lapse on the part of the respondents in not sending the petitioner for in-service training earlier.

(II) Issuance of an appropriate writ or writs in the nature of mandamus commanding the respondents for entitlement of petitioner for grant of Matric Trained pay scale after three years from the date of their appointment or from 01.10.2003 in the light of order dated 11.04.2018 passed in C.W.J.C. No.-7322 of 2017 and order dated 31.07.2018 passed in C.W.J.C. No.-13734 of 2012, as the case of petitioner is squarely covered by the above two decisions.

(III) And further be pleased to grant all other financial benefits along with its arrears and all consequential monetary benefit thereof in accordance with law.

(IV) Issuance of such other order/orders, direction/directions, relief/reliefs to which the petitioner may found entitled to be passed as your Lordships may deem fit and proper.”

3. Learned counsel for the petitioners submits that the petitioner's case is squarely covered by the order passed by this Court in C.W.J.C. No.5092 of 2020 and analogous cases dated 09.01.2024.

4. Considering the aforesaid facts, since the case of the



petitioner stand on similar footing to that of the petitioners of C.W.J.C. No.5092 of 2020, there is no requirement to keep pending the present writ application.

5. Accordingly, the petitioner is directed to file a detailed representation along with the relevant documents, before the respondent no.7 within a period of three weeks.

6. Learned counsel for the respondent no.7 is directed to dispose off the representation of the petitioner by passing a reasoned and speaking order in accordance with law, within a period of two months from the date of filing of such representation by the petitioner after personally hearing the petitioner or her counsel and pay the claim/admitted dues of the petitioners. If the concerned Authorities finds that the petitioner's case is covered by the case of Abdus Samad vs. The State of Bihar & Ors. and the case of the petitioners of CWJC No.13734 of 2012, then the similar benefits be granted to the petitioner and then the petitioner is also entitled for the consequential benefits.

7. If the representation of the petitioner is not considered within the stipulated period, the respondent no.7 shall be personally held responsible for non-complying the order of this Court.



8. With the aforesaid directions, this writ application is hereby disposed off.

(Anjani Kumar Sharan, J)

pallavi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.03.2024
Transmission Date	NA

