

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14553 of 2023

1. Dilip Kumar Sinha Son Of Late Vishnu Kumar Sinha, Resident Of Village- Khrajpur, P.O- Pastara, Police Station- Baligaon (Patepur), District- Vaishali.
2. Manoj Kumar Singh Son Of Late Paras Nath Singh, Resident Of Village- Kishunpur Madhuban, Police Station- Kurhani, District- Muzaffarpur.
3. Ranjeet Kumar Son Of Late Mauje Lal Sah, Resident Of Village- Mahua Singh Rai, Police Station- Mahua, District- Vaishali.
4. Ashok Kumar Suman Son Of Late Baleshwar Baitha, Resident Of Village- Chausima, Police Station- Sakara, District- Muzaffarpur.
5. Ajit Kumar Son Of Late Balendra Singh Resident Of Village- Mirza Nagar, Police Station- Mahua, District Vaishali.
6. Sujit Kumar Jha Son Of Late Hari Kant Jha Resident Of Village- Harpur Osti, Police Station Mahua, District- Vaishali.
7. Banarsi Rajak Son Of Late Lobhit Rajak, Resident Of Village- Kiratpur Rajaram, Police Station- Bhagwanpur, District- Vaishali.
8. Viveka Nand Bhagat Son Of Late Ram Bilas Bhagat, Resident Of Village- Madhopur Ram, Police Station- Vaishali, District- Vaishali.
9. Sanjay Kumar Son Of Late Mahendra Sharma, Resident Of Village- Panchratan, Police Station- Basopatti, District- Madhubani.
10. Ashok Kumar Mishra Son Of Late Prabhunath Mishra, Resident Of Village- Bakarpur, P.O- Minapur Rai, Police Station- Hazipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Bihar, Patna
2. The Director, Primary Education, Bihar, Patna.
3. The District Education officer, Vaishali at Hazipur.
4. The District Programme Officer (Establishment), Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Respondent/s : Mr.Kameshwar Kumar (Gp 17)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2024 Heard the parties.

2. Learned counsel for the petitioners submits that the
case of the petitioners 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 petitioners have 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 petitioners may be directed to file a representation before District Programme Officer (Establishment), Vaishali.

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



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

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

(Anjani Kumar Sharan, J)

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