

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16584 of 2024

1. Sanjay Kumar, Son of Lalte Shiv Lal Hazra Resident of Village Dharampur Dakhili, P.S. Tajpur District- Samastipur.
2. Vijay Kumar, Son of Late Chandradev Jha Resident of Village-Kalyanpur Jhakhara, Saraiganj, P.S. Sarairanjan, District- Samastipur.
3. Archana Bhardwaj, Daughter of Late Ramanuj Roy Resident of Village-Khatuaha, P.S. Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Education Department, Government of Bihar, Patna.
5. The District Magistrate, Samastipur.
6. The Regional Deputy Director of Education Darbhanga.
7. The District Education Officer, Samastipur
8. The District Programme Officer (ESt.), Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Prakash Verma
For the Respondent/s	:	Mr. Standing Counsel- 16
		Mr. AC to SC-16

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-11-2024 1. Heard learned counsel for the petitioners and
learned AC to SC-16 for the State.

2. The learned counsel for the petitioners submits that
the instant writ application has been filed seeking a direction
upon the respondent authorities to grant Pay Scale of Rs.4000-
6000 in place of Rs.3050-4590/- to the petitioners from the date
of their initial appointment, who presently are working as Clerk



in different schools under the Education Department in the State of Bihar.

3. The learned counsel for the petitioners next submits that the case of the petitioners is squarely covered by a judgment dated 23.06.2017 in L.P.A. No.167 of 2016. It is next submitted that persons similarly situated like the petitioners have also moved this Court when they were not getting the Pay Scale of Rs.4000-6000 by filing CWJC No.12449 of 2024. It is next submitted that a learned Coordinate Bench by order dated 22.08.2024 disposed of CWJC No.12449 of 2024 based on the stand taken by the respondent authorities in that case that the Pay Scale of Rs.4000-6000/- to the petitioners and similarly situated persons would be paid subject to final outcome of Civil Review No.236 of 2019 filed in LPA No.167 of 2016. It is next submitted that several persons similarly situated like the petitioners have been granted the said benefit, but then, petitioners are being discriminated for reasons best known. It is also submitted that petitioners undertake that in the event, if the Civil Review No.236 of 2019 in LPA No.167 of 2016 is allowed, in that event, the authorities would be free to act in accordance with law.

4. The learned counsel for the petitioners submits that



petitioners have represented before the District Programme Officer (Establishment) Samastipur for seeking the aforesaid relief as would manifest from Annexure-26 series to the writ application. It is further submitted that the representation was filed by the petitioners in the Year 2021, but the same till date has not been acted upon, on which the learned counsel appearing on behalf of the State submits that it may be a possibility that the representation filed by the petitioners may not be found in the office of the District Programme Officer (Establishment), Samastipur as the same was filed in the Year 2021. It is next submitted that authority competent for considering the case of the petitioners would be the District Education Officer, Samsatipur. The learned counsel for the State thus submits that the petitioners be directed to file a fresh representation before the District Education Officer, Samastipur for considering their claim.

5. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the petitioners to file separate representation before the District Education Officer, Samastipur on or before 12.12.2024 raising their grievance as raised in the instant application with all relevant documents and in the event, if such representation is



filed on or before 12.12.2024, the District Education Officer,
Samastipur shall consider and dispose of the same in accordance
with law within a period of two months thereafter.

(Satyavrat Verma, J)

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