

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15564 of 2024

1. Sanjeev Kumar Son of Late Vinay Prasad, Resident of Shiv Narayan Road, Mohalla- Kachhi Ghat, P.S.- Chowk, Patna City, District- Patna, Bihar presently posted as Clerk Narayani Girls High School, Chowk, P.S.- Chowk, Patna City, District- Patna, Bihar
2. Rajnish Kumar Singh Son of Late Radhe Sharan Singh, Resident of Village- Chandu Bigha, P.O.- Asadhi, P.S. Hilsa, District- Nalanda, Bihar, presently posted as Clerk Govt. High School, Maharajganj, Gulzarbagh, P.S.- Alamganj, District- Patna, Bihar.
3. Rajiv Ranjan Kumar, Son of Late Sukh Narayan Mistri, Resident of Village- Mobarakpur, P.S.- Islampur, District- Nalanda, Bihar, presently posted as Clerk High School, Tope, P.S.- Fatuha, District- Patna, Bihar.
4. Ravi Kant Kumar, Son of Late Nand Kishor Prasad, Resident of Village- Sampatchak, Near Block Gate, P.O.- Bairiya, P.S.- Gopalpur District- Patna, Bihar, presently posted as Clerk Sahid Ramanand High School, Lakhna, P.S.- Punpun, District- Patna, Bihar
5. Kumar Amarnath Son of Late Shyam Narayan, Resident of Village- Kaimashikoh, Near Mahavir Asthan, P.O.- Malsalami,, P.S.- Malsalami, Patna City, District- Patna, Bihar, presently posted as Clerk Sir Ganesh Dutta Patliputra Senior Secondary School Kadamkuan, P.S.- Kadamkuan, District- Patna, Bihar
6. Bipin Chandra Mishra Son of Late Prabhash Chandra Mishra, Resident of Village- Abgtlla, P.O.- Mohanpur, P.S.- Gaurichak, District- Patna, Bihar, presently posted as Clerk Sahid Ramanand High School, Lakhna, P.S.- Punpun, District- Patna, Bihar.
7. Rajesh Kumar, Son of Late Teka Gope, Resident of Village Manjhauli, P.O. Manjhauli, P.S.- Shalimpur, District- Patna, Bihar, presently posted as Clerk Mahant Harihar Das Higher Secondary School, Poonadih, P.S.- Poonadih. District- Patna, Bihar.
8. Sudhir Kumar, Son of Late Naval Kishore Prasad, Resident of Mohalla- New Patna Colony, P.O.- Beur, P.S.- Beur, District- Patna, Bihar, presently posted as Clerk Kasturba Gandhi Girls High School, Khagaul, P.S.- Khagaul, District- Patna, Bihar.
9. Mritunjay Kumar, Son of Late Dhirendra Kumar, Resident of Village Mahangupur. P.O.- Chiraura, P.S.- Janipur, District- Patna, Bihar, presently posted as Clerk High School, Sadisipur, P.S.- Bihta, District- Patna, Bihar.
10. Chandra Mani Kumar Son of Late Kumari Kiran Sinha, and Shubhash Prasad, Resident of Bankipur Machriyawan, P.O.- Fatuha, P.S.- Fatuha, District- Patna, Bihar, presently posted as Clerk Vyapar Mandal High School, Fatuha, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Govt of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar,



Patna.

3. The Director, Secondary Education, Education Department, Bihar, Patna.
4. The Regional Deputy Director of Education, Patna Division, Patna, Bihar.
5. District Education Officer, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajeev Nayan, Advocate
For the Respondent/s : Mr.Government Pleader 7

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 22-10-2024 Heard learned counsel for the petitioner and the State.
2. Writ petition has been filed for a direction to the respondents to grant pay scale to the petitioners of Rs. 4000/- 100-6000/- in place of Rs.3050-75-4590 with effect from 20.06.2018 and 05.12.2018 from the date of promotion in Grade III (Clerk) and for other consequential benefits for which these petitioners are entitled in accordance with law.
3. Learned counsel for the petitioners submits that all the petitioners were appointed as 4th Grade employee on compassionate ground in February 2006 and they were posted in the different schools in Patna District and they were smoothly performing their duties and later on respondent no.5 issued Memo by which petitioners were promoted on the post of clerk. Photo copy of Memo No 8938 dated 05.12.2018 and Memo No-4742 dated 20.06.2018 are annexed herewith and marked as Annexure -P1 and Annexure- PIA to this writ application.
4. Learned counsel for the petitioners further submits that the issue raised in the present writ application is no more res integra. The matter was decided by this Court in L.P.A. No. 167 of 2016 and following the decision in the aforesaid appeal, several writ petitions have been disposed of. Learned counsel



for the petitioner submits that the present writ petition may also be disposed of in the same terms.

5. In view of the nature of prayer made by learned counsel for the petitioners, let these petitioners file a representation before respondent no.5 within a period of four weeks from today.

6. In the event, such representation is filed, respondent no.5 shall examine the claim of these petitioners and dispose of the same by a reasoned and speaking order in accordance with law as well as in light of order of this Court passed in LPA No.167 of 2016 after hearing the parties, preferably within a period of three months thereof.

7. Needless to state that if the case of these petitioners is covered by the aforesaid order, same treatment would be given to these petitioners.

8. Writ petition stands disposed of with these observations.

Shashi

(Prabhat Kumar Singh, J)

U			
---	--	--	--

