

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17499 of 2024

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Birendra Kumar Ojha S/o- Late Bishnu Dev Ojha R/o-Village-Bishnupura
Khurd, P.O. Safari, P.S.-Ekma, District-Saran, Pin-841208

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary/Additional Chief Secretary Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Accountant General, Bihar, Patna.
5. The District Education Officer, Saran at Chapra, District-Saran at Chapra.
6. The District Programme Officer (Establishment), Saran at Chapra, District-Saran at Chapra.
7. The Treasury Officer, Saran at Chapra.
8. The Headmaster, Middle School, Hansrajpur, Ekma, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shashi Shekhar Tiwary, A.Patel, P.Sinha, Mr. A.Kumar, Advocates
For the Respondent/s	:	Mr. Manish Kumar, Government Pleader (4) Mr. Raj Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 19-11-2024 Heard learned counsel for the petitioner and the State.
2. Writ petition has been filed for a direction to the respondents to consider petitioner's case for comparatively higher pay scale on the ground of BA qualification at the time of entry into the service.
3. At the outset, learned counsel for the petitioner submits that the case of the petitioner, who superannuated from the service of Assistant Teacher on 31.1.2023, is squarely covered by judgment of this Court dated 16.8.2017 passed in LPA No. 756/2015, affirmed upto the Hon'ble Apex Court. Petitioner has submitted that benefit of seniority/promotion/pay



scale in view of judgement dated 12.9.2022, passed in C.W.J.C.No. 15610/2018 and decision so communicated vide letter no. 3938 dated 21.9.2024 by the District Education Officer, Saran at Chapra be also given to the petitioner. Learned counsel submits that the petitioner has also filed representation dated 12.6.2023 (annexure 1 to the writ petition) in this regard.

4. In view of the nature of prayer made by learned counsel for the petitioner, let respondent no.5 examine the representation of the petitioner and dispose of the same by a reasoned and speaking order in accordance with law as also in view of aforesaid orders, after hearing the parties, preferably within a period of six weeks from the date of receipt of this order.

5. Needless to state that if the case of the petitioner is covered by the aforesaid orders, petitioner should also be extended the same benefits as has been given to the petitioners of those cases, within a period of eight weeks from the date of disposal of the representation.

6. Writ petition stands disposed of with the aforesaid directions.

(Prabhat Kumar Singh, J)

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