

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18861 of 2024

1. Ajay Kumar S/o Late Jagdish Prasad working as Graduate Teacher in Kanya Madhya Vidyalaya Adalatganj, Water Tower, Anchal- Gardanibagh, District- Patna.
2. Anil Kumar S/o- Mohan Lal Gupta, Working as Assistant Teacher in Balak Madhya Vidyalaya Adalatganj, Water Tower, Anchal- Gardanibagh, District- Patna.
3. Sanjay Kumar Singh S/o- Vidyanand Singh, Working as Graduate Science Teacher in Madhya Vidyalaya Mithapur, Ashok Market, Anchal- Golghar, District- Patna.
4. Ranjit Kumar S/o- Sri Kedar Prasad, Working as Graduate Science Teacher in Balak Madhya Vidyalaya Punaichak, Anchal- Gardanibagh, District- Patna.

... .. Petitioners

Versus

1. The State of Bihar through its The Additional Chief Secretary cum The Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary cum The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The Joint Secretary, Education Department, Bihar, Patna.
5. The District Education Officer, Patna.
6. The District Programme Officer (Establishment), Patna.

... .. Respondents

Appearance :

For the Petitioner	:	Mr.Rama Kant Singh, Advocate
For the Respondents	:	Mr.Additional Advocate General (12)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-12-2024 Heard learned counsel for the parties.

2. The present writ petition has been filed for directing respondents to grant the matric trained pay scale to the petitioners from the date of their joining in the light of CWJC No. 6139 of 2007 (Ram Ashish Tiwary & Ors Vs. The State of Bihar & Ors) dated 31.03.2011 which was upheld by the Division Bench of this Court by the judgment dated 16.08.2017 passed in LPA No. 756 of 2015 (The State of Bihar & Ors Vs.



Ram Ashish Tiwary & Ors).

3. Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the judgment passed in LPA No. 756 of 2015 arising out of C.W.J.C. No. 6139 of 2007 dated 16.08.2017. Hence, the petitioners are entitled to the similar relief as per the State Litigation Policy under Clause 4(c)(1) which reads as follows:-

“4.C Covered Matters: 4.C (1). A good number of cases are from the category of similar cases. Each Government Department will aim to consider and settle the claim of the representationist/applicant-employee/citizen, if the claim is found covered by any decision of the Court. Many service matters of this nature, can be disposed of at the level of the Department itself without compelling the litigant to come to the Court. In this manner, the Government Departments would be acting as efficient litigants.”

4. Considering the submissions made on behalf of the petitioners, the present writ application stands disposed of in light of the order passed in C.W.J.C. No. 6139 of 2007 dated 31.03.2011 and L.P.A. No. 756 of 2015 dated 16.08.2017 and the State Litigation Policy as quoted above. 5. The benefit granted to the petitioner of the aforesaid C.W.J.C. No. 6139 of 2007 dated 31.03.2011, shall be extended to these petitioners within a period of six months from the date of making such representation before the competent authority.

6. Accordingly, the instant petition stands disposed of.

(Prabhat Kumar Singh, J)

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