

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18246 of 2023

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Tarkeshwar Prasad Yadav S/o- Late Parmanand Prasad Yadav Resident of Mohalla- Shankarpur Colony, P.S.- Muffasil, District- Munger at present posted as Assistant Teacher at Middle School, Nawada Shankarpur, P.S.- Muffasil, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director Primary Education, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Munger Division, Munger.
6. The District Education Officer, Munger, District- Munger.
7. The District Programme Officer (Establishment), Munger, District- Munger.
8. The Treasury Officer, Munger, District- Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Saurabh
For the Respondent/s : Mr. Government Pleader 05

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 15-05-2024

Heard learned counsels for the parties.

2. The petitioner has prayed for following relief(s):-

“(i) For issuance of an appropriate writ in the nature of Mandamus commanding and directing upon the respondents concerned to grant Matric Trained Scale from the date of their respective joining as well as Senior Pay Scale on completion of 12 years of service in view of Division Bench judgment dated 16.08.2017 passed in L.P.A. No. 756 of 2015 disposed of on 16.08.2017 as well as subsequent order passed in C.W.J.C. No. 7255 of



2018 order dated 20.04.2018.

(ii) For issuance of any order/direction for granting any other relief/reliefs for which petitioners are found entitled to in the facts and circumstances of the case.”

3. At the very outset, learned counsel for the petitioner submits that the case of the petitioner is squarely covered with the Division Bench Judgment dated 16.08.2017 passed in L.P.A. No. 756 of 2015 as well as the order dated 20.04.2018 passed in C.W.J.C. No. 7255 of 2018, hence the present writ petition can also be disposed of in light of the aforesaid order and judgment.

4. In view of the fair submission made by learned counsel for the petitioner, in my view, no useful purpose would be served keeping this writ application pending.

5. Accordingly, this writ application is disposed of with a direction to the petitioner to file a fresh representation before the District Education Officer, Munger (respondent no.6) along with the supporting documents within a period of three weeks from today and respondent no.6 is directed to consider the representation of the petitioner and pass a reasoned and speaking order within ten weeks from the date of receipt of the representation of the petitioner after affording an opportunity of hearing to the petitioner or his counsel.

6. It is made clear that the District Education Officer, Munger (respondent no.6) shall be personally responsible for



non-compliance of this order within the stipulated period.

7. With the aforesaid direction, this writ application is disposed of.

(Anjani Kumar Sharan, J)

anand/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.05.2024
Transmission Date	NA

