

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4231 of 2025

=====

Amar Kant Sharan Son of Late Siya Sharan Sah, Resident of Samir Nagar,
Post Office- Koshi College, Police Station- Chitraguptnagar, District-
Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Education,
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 Regional Deputy Director of Education, Government of Bihar, Patna.
5. The District Education Officer, Khagaria, District Khagaria.
6. The District Programme Officer (Establishment), Khagaria.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Ms. Sweta Raj, Adv.
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-11-2025 Heard the parties.

2. The petitioner by invoking the prerogative writ
jurisdiction of this Court seeking the following reliefs:-

“i. For issuance of an appropriate writ in the
nature of mandamus commanding and directing
the respondents authorities for fixation of salary of
the petitioner in the trained graduate pay scale in
view of the provision contained in Rule 22(1)(A),
7(i) (ii) (iii) and (iv) of the fundaments rules which
inter alia provides that for the purpose of pay
fixation on promotion, the salary payable on the
date of promotion would be fixed and thereafter



pay fixation would be done after giving benefits of one additional-1 increment of the existing pay scale and to pay arrears of salary of the petitioner after aforesaid fixation from the date when has been granted trained graduate pay scale by the respondent authorities.

ii. To further direct the respondent authorities as per promotion rule 2011 (Rule 8) to grant promotion in the graduate trained scale as well as on the post of headmaster to the petitioner and their consequential benefits since 31/01/2003.

iii. For issuance of any other appropriate writ(s) order(s) direction(s) for which the writ petitioner would be found entitled under the facts and circumstances of the case.

iv. And/or any other appropriate reliefs to the petitioner for which payable may found entitle under the fact and circumstances of the case.”

3. Learned Advocate for the petitioner adverting to the facts of the writ petition submitted that the case of the petitioner is squarely covered with the decision passed by this Court in C.W.J.C. No.15610 of 2018, which came to be disposed off on 12.09.2022. It is submitted that despite the fact the petitioner is held to be entitled for trained graduate pay-scale, but surprisingly he has been allowed the pay-scale w.e.f. 2008 instead of 2003. For redressal of the grievance, the petitioner has approached the District Education Officer, Khagaria but to no effect. To support the aforesaid contention, a copy of the



representation has also been placed on record as Annexure-P/8 to the writ petition.

4. Learned Advocate for the State seeks a short adjournment to get instruction(s) and file counter affidavit in the matter.

5. Considering the nature of the grievance and the materials available on record, this Court deems it fit and proper to dispose off the writ petition with a direction to the respondent-District Education Officer, Khagaria to look into the grievance of the petitioner as has been raised in Annexure-P/8, in the light of the order of this Court in C.W.J.C. No.15610 of 2018 and bring it to its logical conclusion, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.

6. Suffice it to observe that if the claim of the petitioner finds identical to the petitioners of C.W.J.C. No.15610 of 2018, identical relief(s) must be accorded to him.

7. The writ petition stands disposed off.

(Harish Kumar, J)

rohit/-

U			
---	--	--	--

