

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6939 of 2020

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Jagdish Ram son of Late Nathuni Ram, resident of Village- Choraut, P.S.-
Choraut, District- Sitamarhi. Petitioner/s

Versus

1. The State of Bihar through the Director Primary Education, Government of Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. The District Education Officer, Sitamarhi.
4. The District Programmed Officer, (Establishment), District- Sitamarhi.
5. The Block Education Officer, Sursand, District-Sitamarhi.
6. The Head Master, Middle School Banarua Anchal Choraut, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Md. Anisur Rahman, Advocate
For the Respondent/s : Mr. Jitendra Kumar Roy1 (SC 13)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 10-02-2025 Heard Md. Anisur Rahman, learned counsel appearing

on behalf of the petitioner and Mr. Jitendra Kumar Roy 1,

learned SC 13 for the State.

2. The petitioner in paragraph no. 1 of the present writ

petition has sought *inter alia* following relief(s), which is

reproduced hereinafter:-

“(A) For issuance of appropriate writ/order or direction commanding the respondents to grant and pay salary to the petitioner in the pay scale of Graduate Trained since the date on which the teachers juniors to the petitioner has been granted the said pay scale by the respondents.

(B) For issuance of appropriate writ/order or direction commanding the respondent to fix pay scale of the petitioner in B.A. Trained Scale and also to pay the arrears as well as current salary in the said BA Trained Pay Scale to him.

(C) For any other relief or reliefs for which the



petitioner is found entitled in the opinion of this Hon'ble Court."

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner passed the Teachers Training Examination in the year, 2008 but he has not been granted Pay Scale of B.A. Assistant Trained Teachers. Petitioner retired from the post of Assistant Trained Teacher, however, he has been discriminated insofar as Assistant Teachers, who have obtained Graduate Trained Degree and have been given due pay scale of Graduate Trained Teachers, who are much junior to the petitioner.

4. The petitioner seeks to file a detailed representation before the District Programme Officer (Establishment), Sitamarhi, as well as, before the Director, Primary Education Department for redressal of his grievance.

5. Considering the limited relief(s) as sought for on behalf of the petitioner, the petitioner, if so advised, may file a detailed representation before the Director, Primary Education Department, Government of Bihar and the Director, Primary Education Department, Government of Bihar is directed to call for the service particulars and all the relevant documents relating to the petitioner from the District Programme Officer (Establishment), Sitamarhi and on the basis of such documents



and evidences take a conscious decision as to whether the petitioner has been discriminated and he is required to be paid the Graduate Trained Teachers Scale from the date the petitioner is entitled for the said pay scale.

6. It goes without saying that the petitioner must be paid all the admissible dues from the date he is entitled along with the due salary, as well as, his pension is also required to be revised on the basis of the revised pay scale of B.A Trained Teachers, in case of his entitlement, and other consequential benefits to which the petitioner is entitled. The Director, Primary Education, Bihar must direct the concerned authority having jurisdiction to take appropriate action to make payment of all the admissible dues to the petitioner in accordance with law forthwith within a period of six weeks from the date of passing of this order without fail. In case, the grievance of the petitioner is still not redressed, he may take appropriate action against the concerned respondents, who are found to have deliberately harassed the petitioner.

7. With the above observation/direction, the present writ petition stands disposed of.

(Purnendu Singh, J)

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