

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6154 of 2020

1. Raj Kumar S/o Late Ramnandan Prasad Presently Posted as TGT UMS Garhtola, Barhiya, P.O. and P.S.- Barhiya Dist.- Lakhisarai 811302.
2. Krishna Gopal S/o Shri Shailendra Kumar Presently Posted as Head Master at UMS Chamghara, P.O. -Aurey, P.S.- Ramghar Chowk, Dist.- Lakhisarai.
3. Ganesh Mistry S/o Shri Bindeshwary Mistry Presently Posted as Head Master at MS Babhangawan, P.O.- Babhangawan, P.S.- Amhara, Dist.- Lakhisarai, 811311.
4. Amit Kumar Son of Shri Arbind Kumar Presently Posted as TGT at UMS Manuchak, P.O. and P.S.- Surajgarha, Dist.- Lakhisarai, 811106.
5. Jyotish Kumar Son of Shri Ram Das Sah Presently Posted as TGT at UMS Toralpur, Kajra, P.O. -Mustafapur, P.S.- Surajgarha, Dist.- Lakhisarai 811106.
6. Ramsevak Kumar Son of Ram Nath Singh Presently Posted as Head Master at MS Barhiya No.-2,, P.O. and P.S.- Barhiya, Dist.- Lakhisarai 811302.
7. Md. Shabbir Ahamad Son of Late Jamir Uddin Presently Posted as Head Master at UMS West Giddha, Post- Kaindi, P.S.- Halsi, Dist.- Lakhisarai 811311.
8. Ashok Kumar Prabhakar Son of Late Raghunadan Prasad Presently Posted as TGT at UMS Tilakpur, P.O. -Bichhwey, P.S.- Kiul, Dist.- Lakhisarai 811310.
9. Sanjay Das Son of Shri Batoran Das Posted as TGT at UMS Piri Bazar, P.O. and P.S.- Piribazar, Dist.- Lakhisarai, 811213.
10. Loknath Prasad Yadav Son of Shri Ramdas Yadav Presently Posted as Head Master at UMS Ramnagar Chanan, P.O. -Bannu Bagicha, P.S.- Chanan, Dist.- Lakhisarai 811310.
11. Manoj Kumar Mehta Son of Late Kant Lal Mehta Presently Posted as TGT at UMS Bahadurpur, P.O. -Mankatha, P.S.- Barhiya, District - Lakhisarai 811311.
12. Abhay Kumar Sharma Son of Shri Janardan Singh Presently Posted as Head Master at MS Mano, P.O. -Mano, P.S.- Suryagarha, District- Lakhisarai 811311.
13. Krishna Kumar Bharti Son of Late Mehdi Prasad Presently Posted as Assistant Teacher at UMS Tilakpur, P.O. -Bichhwey, P.S.- Kiul, Dist.- Lakhisarai 811310.
14. Ashok Kumar Son of Late Jagdish Prasad Posted as Head Master at UMS Natthudih, P.O. -Pacham, P.S.- Kiul, Dist.- Lakhisarai 811311.
15. Sujit Kumar S/o Shri Shakhichand Mandal Presently Posted as Head Master at UMS Shivdih, P.O. and P.S.- Kajra, Dist.- Lakhisarai 811309.
16. Jitendra Kumar Son of Shri Kali Das UMS Presently Posted as Head Master at Jajwara, Pipariya, P.O. and P.S. and District- Lakhisarai 811309.
17. Ajay Kumar Son of Late Saryug Singh Presently Posted as Head Master at UMS Lalpur, P.O. -Tarhari, P.S.- Halsi, Dist.- Lakhisarai, 811315.



18. Sanjeev Kumar Son of Late Maruan Paswan Posted as Head Master at UMS Ramchandrapur, Ghoghi, Kajra, P.O. and P.S.- Piribazar, Dist.- Lakhisarai 811213.
19. Md. Sirajuddin Son of Md. Murtaza Ahmad Posted as Head Master at UMS Saidpura, Pipariya, P.O. -Alinagar, P.S.- Surajgarha, Dist.- Lakhisarai 811106.
20. Sharda Suman Wife of Awadhesh Kumar Posted as Head Master at UMS Rampur Chauk, P.O. and P.S.- Piri Bazar, Dist.- Lakhisarai 811112.
21. Ganesh Kumar Son of Shri Raghunandan Singh Posted as TGT at UMS Lohra, Post -Dumri Via Barhiya, P.S.- Barhiya, Dist.- Lakhisarai 811302.
22. Ajit Kumar Son of Shri Akleshwar Ram Posted Presently as Head Master at UMS Shivdih, P.O. -Aurey, P.S.- Ramgarh Chowk, Dist.- Lakhisarai 811311.
23. Sanjay Kumar Singh Son of Shri Triveni Singh Posted as Head Master at UMS Ofapur, P.O. -Bilauri, P.S.- Lakhisarai, Dist.- Lakhisarai 811311.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Education Department, Government of Bihar, Patna.
2. The Secretary Education Department, Government of Bihar, Patna.
3. The Director Primary Education, Education Department, Government of Bihar, Patna.
4. The Regional Deputy Director Munger Division, Education Department, Government of Bihar, Patna.
5. The District Education Officer Lakhisarai.
6. The District Program Officer (Establishment), Education Department, Lakhisarai.
7. The Block Education Officer Lakhisarai.
8. The Drawing and Disbursement Officer Lakhisarai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Manu Tripurari, Advocate Mr. Shailesh Anand, Advocate Mr. Rajeev Ranjan, Advocate Mr. Vagisha Pragya Vacaknavi, Advocate
For the Respondent/s	:	Mr. Kamal Nayan, AC to SC 28

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

8 31-07-2025 Heard Mr. Manu Tripurari, along with Mr. Shailesh
Anand, Mr. Rajeev Ranjan and Mr. Vagisha Pragya Vacaknavi,



learned counsels appearing on behalf of the petitioners and Mr. Kamal Nayan, learned AC to SC 28 for the State.

2. The petitioners in paragraph no. 1 of the present writ petition have sought, *inter alia*, the following relief(s), which is reproduced hereinafter:-

“(a) for quashing order contained in Memo No.1114 dated 13.05.2020 of the District Education Officer, Lakhisarai so far it relates to the petitioners whereby and where under operation/execution of order of the District Program Officer, (Establishment), Education Department, Lakhisarai granting Revised Senior Pay Scale to the Teachers appointed after 31.12.1995 on completion of their 12 years of satisfactory service was stayed with immediate effect and the Drawing & Disbursement Officer was directed to prepare a list of the teachers who have been paid revised senior pay scale and thereafter such money be recovered and a compliance be sent within a fortnight.

(b) for quashing Letter No.07/ मृ 01-20/2018 432 dated 20.04.2020 of the Director, Primary Education, Education Department, Bihar, Patna addressed to all the District Education Officers of Bihar whereby and where under the Director, Primary Education, Education Department, has misinterpreted the judicial order dated 31.03.2011 passed in CWJC No.6139 of 2007 by the Hon'ble High Court, Patna and on basis of which the impugned order contained in Memo No.1114 dated 13.05.2020 of the District Education Officer, Lakhisarai has been issued.

(c) for any other relief or reliefs to which the petitioner is found entitled in law.”

3. The petitioners are aggrieved by the action of the District Education Officer, Lakhisarai, who has passed the order on the basis of certain instructions issued by the State Government, which the Education Department themselves have deprecated, as would appear from the letter no.417 dated 10.02.2025.



4. In view of the clarification made in the letter no.417 dated 10.02.2025, the relief as prayed for in the present writ petition is allowed. The order affecting the individual grievance of the petitioners, passed by the District Education Officer, as annexed in annexure -P/1 to the writ petition, is hereby **set-aside and quashed**. The petitioners, if so advised, may file a detailed representation before the Director Primary Education or any Authority concerned. The Authority concerned is directed to abide by the communication letter no.417 dated 10.02.2025.

5. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J)

Ashishsingh/-

U			
---	--	--	--

