

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6161 of 2020

1. Vijay Shankar Son of Shri Jagdish Pandit Presently posted as Head Master at UMS Kachiyana P.O.- Kachiyana, P.S.- Amahara, Dist- Lakhisarai- 811311.
2. Geeta Paswan Son of Shri Sitaram Paswan Presently posted as Assistant Teacher at UMS Maliya P.O. and P.S.- Chanan, Dist- Lakhisarai.
3. Manohar Kumar Son of Late Arjun Mahto Presently posted as Assistant Teacher at MS Naya Bazar Lakhisarai, P.O. and P.S. and Dist- Lakhisarai.
4. Sheo Shankar Prasad Singh Son of Late Shyam Kishore Singh Presently posted as Head Master at UMS Giridharpur P.O. and P.S.- Birupur, Dist- Lakhisarai- 811302.
5. Rajesh Ranjan Son of Late Shyam Sundar Singh Presently posted as Assistant Teacher at UMS Bijulakhi, Block- Halsi, District- Lakhisarai.
6. Rahul Kumar Son of Late Madan Sahu Presently posted as Assistant Teacher at P.S.- Chotha, P.O.- Lakhisarai, P.S.- Ramgarh Chowk, Dist- Lakhisarai 811311.
7. Sunil Kumar Manjhi Son of Late Talo Manjhi Presently posted as Assistant Teacher at Middle School Sahur, at P.S.- Suryagarha, P.O.- Sahur, Dist- Lakhisarai- 811310.
8. Shailesh Kumar Singh @ Shailesh Kumar Son of Late Parmanand Singh Presently posted as Assistant Teacher at U.M.S. Garh Tola, P.O. and P.S.- Barhiya, Dist- Lakhisarai- 811302.
9. Niraj Kumar Son of Late Ramasray Singh Presently posted as Assistant Teacher at M.S. Tetarhat, Ramgarh Chowk, Lakhisarai- 811302.

... .. 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 : Ms. Namrata Singh, AC to Ex GA 12

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

15 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 Ms. Namrata Singh, learned AC to Ex GA 12 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)

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