

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8580 of 2025

1. Arvind Kumar Roy Son of Ramvriksh Ram, Resident of Vill- Chahal Mudera, PO- Ghareya, Ps- Wazirganj, Dist- Gaya. At present posted and working as a Headmaster in Middle School Baidpura, Prakhand- Gurua, Dist- Gaya
2. Niraj Kumar Son of Vijay Kumar Singh Resident of Mohalla- Prithvipur Gali No. 1A, Po- Chiraiyatand, Ps- Kankarbag, Dist-Patna. At present posted and working as a Headmaster in Govt. Middle School Koiribigha, Prakhand- Gurua, Dist- Gaya
3. Anand Manohar Son of Birju Chaudhary, Resident of Mohalla- Barki Delha, Vijay Bigha, PO- Gaya R. S., Ps- Delha, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Kaj, Prakhand- Gurua, Dist- Gaya
4. Awadhesh Kr. Singh Son of Ram Narayan Singh Resident of Vill- Patanawan, Po- Padarawan, Ps- Jamhore, Dist- Aurangabad. At present posted and working as Headmaster in Govt. Middle School Jaipur, Prakhand- Gurua, Dist- Gaya.
5. Uday Kumar Son of Kapildeo Prasad Resident of Mohalla- Lakhanpura, PO- Chand Choura, Ps- Vishnupad, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Itwan-1, Prakhand-Gurua, Dist- Gaya.
6. Vinay Kumar Son of Ambika Prasad Resident of Vill- Ghoraghat, PO- Ghoraghat, Ps- Dobhi, Dist- Gaya. At present posted and working as Headmaster in Middle School Darioura, Prakhand- Gurua, Dist- Gaya.
7. Satyendra Kumar Ravi Son of Shankar Ram Resident of Vill- Alawalpur, Po-Alawalpur, PS- Gaurichak, Dist- Patna. At present posted and working as Headmaster in Govt. Urdu Middle School Sesari, Prakhand- Gurua, Dist- Gaya.
8. Geeta Kumari Wife of Arvind Kumar Resident of Vill- Konch, Po- Konch, Ps- Guraru, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Ghutiya, Prakhand- Nagar, Dist- Gaya.
9. Sanjay Kumar Son of Mohan Sharma Resident of Mohalla- VKS Colony, Road No. 13 B, Po- Gpo Gaya, PS- Magadh Medical, Dist- Gaya. At present posted and working as Headmaster in Middle School Belauti, Prakhand- Gurua, Dist- Gaya.
10. Badrinath Prajapati Son of Rambharosa Prajapati Resident of Vill-Sidhpur, Po- Maigra, Ps- Imamganj, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Chaurhar, Prakhand- Nagar, Dist-Gaya.
11. Sunil Kumar Son of Bhagawat Singh Resident of Vill- Bhelawer, Po- Tejbigha, Ps- Kako, Dist- Jehanabad. At present posted and working as Headmaster in Govt. Middle School Usewa, Prakhand- Gurua, Dist- Gaya
12. Murari Das Son of Chhedi Das, Resident of Vill- Balkhora Tola Babubigha, PO- Nima Budhaul, Ps- Amas, Dist-Gaya. At present posted and working as Headmaster in Govt. Middle School Baliyari, Prakhand- Amas, Dist- Gaya
13. Niranjan Kumar Nirala Son of Bideshwar Chaudhary Resident of Vill- Hamzapur, Po- Sherghati, Ps- Amas, Dist- Gaya. At present posted and



working as Headmaster in Govt. Middle School Masuribar, Prakhand-Amas, Dist-Gaya.

14. Satish Chandra Son of Surendra Kumar Suman Resident of Vill- Jajparsa, Po- Jethiyan, Ps- Atri, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Odhanpura, Prakhand Neemchak Bathani, Dist-Gaya
15. Kumar Kanishk Son of Kuldip Narayan Singh Resident of Vill- Babhna, Ps- Jehanabad, Dist- Jehanabad. At present posted and working as Headmaster in Govt. Middle School Chausandi, Prakhand- Neemchak Bathani, Dist-Gaya
16. Yogendra Kumar Singh Son of Ramswaroop Prasad Resident of Vill- Gyan Bigha, Po- Bathani, Ps- Neemchak Bathani, Dist-Gaya. At present posted and working as Headmaster in Govt. Middle School Kamalpur, Prakhand-Neemchak Bathani, Dist- Gaya.
17. Par Brham Parmeshwar Dayal Singh Son of Shyam Sundar Prasad, Resident of Vill- Bathani, Po- Bathani, Ps- Neemchak Bathani, Dist- Gaya. At present posted and working as Headmaster in Middle School Karu Bigha. Prakhand-Neemchak Bathani, DIST- GAYA
18. Shiv Shankar Paswan Son of Bahadur Paswan Resident of VILL- Charh, PS- Makhdumpur, DIST- Jehanabad. At present posted and working as Headmaster in Govt. Middle School Maniyara, Prakhand- Neemchak Bathani, Dist- Gaya.
19. Vijay Kumar Son of Ramkhelawan Prasad Resident of Vill- Jamheta, Po- Fatehpur, Ps- Fatehpur, Dist- Gaya. At present posted and working as Headmaster in Middle School Morhe, Prakhand- Fatehpur, Dist- Gaya.
20. Ramchandra Prasad Son of Daso Prasad Resident of Vill- Farka, Po- Nagwan, Ps- Fatehpur, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Yashpur, Prakhand- Fatehpur, Dist-Gaya
21. Etwari Pandit Son of Bhikhan Kumar Resident of Vill- Bandasinga, Po- Belkappi, Ps- Gorhar, Dist- Hazaribag, Jharkhand. At present posted and working as Headmaster in Govt. Middle School Itwan, Prakhand- Fatehpur, Dist-Gaya
22. Rajendra Prasad Son of Dwarika Prasad Resident of Vill- Khijua, Po- Bahadurpur, Ps- Rajauli, Dist- Nawada. At present posted and working as Headmaster in Govt. Middle School Lodhwe, Prakhand- Fatehpur, Dist-Gaya.
23. Mithilesh Kumar Son of Mahabir Chandra Ghosh Resident of Vill- Baujda, Po- Baijda, Ps- Fatehpur, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Baijda, Prakhand- Fatehpur, Dist- Gaya.
24. Pramod Kr Prabhakar, Son of Arjun Ram Resident of Mohalla- Barki Delha, Dularganj Road, Po- Gaya R. S., Ps- Delha, Dist-Gaya. At present posted and working as Headmaster in Govt. Mohalla- Barki Delha, Dularganj Road, Po-Gaya R. S., Ps- Delha, Dist- Gaya
25. Shashi Kant Kumar Sudhanshu Son of Chandeshwar Singh Resident of Vill- Babhandi, Po- Wazirganj, Ps- Wazirganj, Dist-Gaya. At present posted and working as Headmaster in Govt. Middle School Chandaila, Prakhand-



Mohra, Dist- Gaya.

26. Budhdeo Das Son of Bideshi Das Resident of Vill- Karjara, Po- Manjhauli, PS- Wazirganj, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Kadhariya, Prakhand- Wazirganj, Dist- Gaya.
27. Rakesh Kumar Son of Bindeshwari Prasad Resident of Vill- Dewachak, Po- Bishunpur, Ps- Wazirganj, Dist- Gaya. At present posted and working as Headmaster in Urdu Middle School Wazirganj, Prakhand-Wazirganj, Dist- Gaya.
28. Tarkeshwar Das Son of Saryug Das Resident of Vill- Dewachak, Po- Bishunpur, Ps- Wazirganj, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Orail, Prakhand- Wazirganj, Dist- Gaya
29. Saroj Bharti Son of Dumra Nath Bharti, Resident of Vill- Binova Nagar, Po- Pandey Parsawn, Ps- Magadh Medical College, Dist- Gaya. At present posted and working as Headmaster Middle School Bemta, Prakhand-Nagar, Dist- Gaya.
30. Renu Kumari Wife of Arvind Kumar Akela Resident of Vill- Tarwan, Po- Tarwan, Ps- Wazirganj, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Kenarchatti, Prakhand- Wazirganj, Dist- Gaya.
31. Ramanand Prasad Son of Narayan Prasad Resident of Vill- Laund, Po- Laund, Ps- Sirdala, Dist- Nawada. At present posted and working as Headmaster in Govt. Middle School Shahwajpur, Prakhand- Nagar, Dist- Gaya.
32. Ashwini Sharma Son of Barho Hazam Resident of Vill- Baliyari, Po-Hasua, Ps- Hasua, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Nima, Prakhand- Manpur, Dist- Gaya.
33. Dinesh Kumar Son of Domi Lal Resident of Vill- Sughree, Po- Sughree, Ps- Govindpur (Thali), Dist- Nawada. At present posted and working as Headmaster in Govt. Middle School Usri, Prakhand-Manpur, Dist- Gaya.
34. Rabindra Sharma Son of Ramlakhan Sharma Resident of Vill- Sughree, Po- Sughree, Ps- Govindpur (Thali), Dist- Nawada. At present posted and working as Headmaster in Govt. Middle School Budhipaimar, Prakhand-Manpur, Dist- Gaya.
35. Upendra Kumar Sinha Son of Rajendra Prasad Resident of Vill- Dhandhar, Po- Dhandhar, Wazirganj, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Raghopur, Prakhand- Fatehpur, Dist- Gaya.
36. Arvind Kumar Akela Son of Lakhan Prasad Rahi Resident of Vill- Tarwan, Po- Tarwan, Ps- Wazirganj, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Hasra, Prakhand- Wazirganj, Dist- Gaya
37. Md. Shahab Uddin Son of Md Zafir Uddin Resident of Mohalla-Jagdishpur, Po- Buniyadganj, Ps- Moffasil, Dist-Gaya. At present posted and working as Headmaster in Govt. Middle School Delha, Prakhand- Manpur, Dist- Gaya
38. Ajeet Kumar Son of Ramu Prasad, Resident of Vill- Nauranga, Po Nauranga, Ps- Muffasil, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Gajhadih, Prakhand- Fatehpur, Dist-



Gaya.

39. Dadan Kumar Singh Son of Late Sitaram Singh Resident of Vill-Malathiya, Po- Bishunpur, Ps- Wazirganj, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Gareiya, Prakhand- Wazirganj, Dist- Gaya.
40. Arbind Kumar Son of Kishori Singh Resident of Vill- Machhariyawan, Po- Bankipur, Machhariyawan, Ps- Fatuha, Dist- Patna. At present posted and working as Graduate Trained Teacher in Govt. Middle School Murgawan, Prakhand- Belaganj, Dist- Gaya
41. Manoj Kumar, Son of Ram Babu Resident of Mohalla- Gulzarbag Hat, Station Road, Po- Gulzarbag, Ps- Alamganj, Dist-Patna. At present posted and working as Headmaster in Govt. Middle School Shekhpura, Prakhand- Belaganj, Dist- Gaya.
42. Dharmendra Kumar Bharti, Son of Baleshwar Prasad Bharti Resident of Vill- Murgawan, Po- Erki, Ps- Belaganj, Dist- Gaya. At present posted and working as Headmaster in Govt. Middle School Murgawan, Prakhand- Belaganj, Dist- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Additional Chief Secretary -cum-the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Additional Chief Secretary -cum-the Principal Secretary, Finance Department, Govt. of Bihar, Patna
4. The Director, Primary Education, Bihar, Patna.
5. The Regional Deputy Director of Education, Magadh Division, Gaya.
6. The District Education Officer, Gaya.
7. The District Programme Officer (Establishment), Gaya.
8. The District Accounts Officer, Gaya.
9. The District Treasury Officer, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Standing Counsel 4

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-11-2025 Heard the parties.

2. The petitioner has approached this Court for the following reliefs :-



“I. For issuance of an appropriate writ in the nature of mandamus for commanding and directing authorities the respondent concerned to provide the benefits in the light of letter no. 571 dated 13.06.2023 issued under the signature of the Director, Primary Education, Education Department, Govt. of Bihar, Patna, in compliance of the order passed by this Hon'ble High Court on 09.08.2019 in CWJC No. 16165 of 2019 (Kishor Kumar and Others vs. the State of Bihar and Others) as also in the light of memo no. 383 dated 03.04.2025 issued by the District Programme Officer (Establishment), Gaya in compliance of the order dated 14.11.2024 passed by this Hon'ble High Court in CWJC No. 7006/2024 (Jitendra Kumar and Others vs. the State of Bihar and Others) by which, direction has been given for providing the notional benefits of trained pay scale from the date of relieving after completion of training and monetary benefits since 01.10.2003 and since the petitioners had been sent for one year in-service teachers training course for the session 2000-2001 and after completion of training, they were relieved to join their respective schools on different dates in the year 2001 and in the light of the aforesaid letters, the petitioners are entitled for grant of notional benefits from the date of relieving from teachers training, the date on which, they were relieved to join their respective schools after completion of training and due to not providing the notional benefit from the date of their entitlement, the petitioners are at loss of seniority etc.

II. For issuance of an appropriate writ in the nature of



mandamus for commanding and directing the respondent authorities concerned to consider the case of the petitioners in the light of the aforesaid letter no. 571 dated 13.06.2023 issued under the signature of the Director, Primary Education, Education Department, Govt. of Bihar, Patna as also the memo no. 383 dated 03.04.2025 issued by the District Programme Officer (Establishment), Gaya, which have been issued in compliance of the judicial orders passed by this Hon'ble High Court, and provide the notional benefits from the date of completion of training, as there is laches on the part of the respondent/State for not sending the petitioners for in-service teachers training course and taking examination belatedly in which all the petitioners successfully passed.

III. For issuance of an appropriate writ in the nature of mandamus as an alternative prayer of the petitioners for directing the respondent authorities concerned to dispose of the representations of the petitioners dated 15.04.2025 addressed to the District Education Officer, Gaya and the District Programme Officer (Establishment), Gaya and the by reasoned and speaking order by ventilating the genuine grievance of the petitioners for providing the notional benefits from the date of relieving after successful completion of teachers training.

IV. For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioners will be found entitled in the facts and circumstances of the case.”

3. Mr. Mishra, learned Advocate for the petitioners



adverting to the facts submitted that the issue raised before this Court has come up for consideration before a Bench of this Court in C.W.J.C. No. 16165/2019 and the Court having taken note of the facts that the petitioners were sent for the training in academic session in the year 2014-15 and the course was completed in May, 2017, hence, no reason was found to deny the benefit of trained pay scale to the petitioners with effect from May, 2017 when the course was completed as the petitioners of the said writ petition have completed their training but for the reason best known to the respondents the examination could not be held in time and the result was published belatedly along with the junior batch. The Court further observed that the respondents cannot take advantage of his own wrong in defeating the genuine claim. Similar matters have further come up for consideration in C.W.J.C. No. 7938/2020 wherein the identical relief has been accorded to the petitioners in light of the afore-noted decisions. The State being aggrieved also preferred Letters Patent Appeal L.P.A. bearing no. 456/2021 which also came to be dismissed vide order dated 03.04.2025. It is further submitted that in some of the matters where the claim of the identically situated persons have been rejected by the Regional Deputy Director of Education, the



aggrieved persons also approached before this Court in C.W.J.C. No. 1774 of 2025 against the impugned order whereby the claim of identically situated persons were rejected, the same has also been set aside vide order dated 10.11.2025.

4. In light of the afore-noted settled legal position, the persons who have approached before this Court they have been allowed the benefit of trained scale with effect from the date of completion of their training, however discrimination has been caused, despite the Bihar litigation policy, 2011, duly formulated by the State. The petitioners have also approached before the authorities concerned by filing representations and are pending consideration but till date no positive decision have been taken, compelling the petitioners to approach this Court.

5. Learned Advocate for the State is present.

6. There is no confrontation with regard to the legal position as stated in the writ petition. Thus, in view of the aforesaid submissions advanced by the learned Advocate for the respective parties and the materials available on record, this Court deems it fit and proper to dispose of the writ petition with a direction to the concerned District Programme Officer (Establishment), Gaya, to look into the grievance of the petitioner, as raised in their representations; the copy of which



are marked as Annexure-P/7 series and dispose of the same keeping in mind the specific prescriptions provided under the Bihar State Litigation Policy, 2011, especially Clause 4(c)(i), thereof, preferably, within a period of twelve weeks from the date of receipt/production of a copy of this order. Suffice it to observe that the respondent authority shall also ensure the admissible and consequential benefits as have been accorded to the other identically situated persons on being found their claim justified.

7. Accordingly, this writ petition stands disposed of.

(Harish Kumar, J)

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