

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11276 of 2025

1. Arbind Kumar Pandey Son of Late Amar Nath Pandey, Resident of Village- Marahia, Marahiya, Police Station-Chapra Muffasil, District- Saran, At present posted and working as Headmaster in Govt. Middle School Akuchak, Anchal - Taraiya, District - Saran.
2. Arun Kumar Pandey, Son of Late Rajbalam Pandey, Resident of Village and Post Office- Serukahan, Police Station- Masrakh, District- Saran, At present posted and working as and Headmaster in Govt. Middle School Sikati, Anchal Masrakh, District - Saran.
3. Binod Kumar, Son of Mohan Tiwari, Resident of Mohalla- Brajkishore School Lane, Lane No.- 4, Dak Bungalow Road, Chapra, Police Station-Town Thana, District-Saran, At present posted and working as Headmaster in Govt. Upgraded Middle School Ghoghiya Dakshin Tola, Anchal - Masrakh, District - Saran.
4. Bindeshwar Singh, Son of Sukeshwar Singh, Resident of Village - Sutihar, Police Station-Town Thana, District-Saran, At present posted and working as Headmaster in Govt. Middle School Darihara, Anchal - Dariyapur, District - Saran.
5. Sanjay Kumar Sharma, Son of Late Mishri Lal Sharma, Resident of Village Mauna Chapra, Police Station-Chapra Nagar, District- Saran, At present posted and working as an Assistant Teacher in Govt. Middle School Azad Chandrashekhar, Anchal - Saran, District- Saran.
6. Surendra Kumar Singh, Son of Damodar Nath Singh, Resident of Village - Gudari Main Road, Police Station-Bhagwan Bazar, District- Saran, At present posted and working as Headmaster in Govt. Middle School Ratanpura, Anchal Chapra, District - Saran.
7. Manjay Kr. Bhakt, Son of Nageshwar Bhakt, Resident of Village - Umanagar, Police Station- Muffasil, District- Saran, At present posted and working as a Trained Graduate Teacher in Govt. Middle School Patedha, Anchal - Nagra, District - Saran.
8. Chandra Shekhar Mishra, Son of Sakaldeo Mishra, Resident of Mohalla Mansingh Ki Gali Uttari Dahiyawan Tola, Ward No.- 24, Police Station-Town, District-Saran, At present posted and working as Headmaster in Govt. Upgraded Middle School Sonauli Urdu, Anchal - Masrakh, District - Saran.
9. Akhileshwar Kr. Singh, Son of Late Bikarma Singh, Resident of Village- G.S. Bangra, Police Station-Jalalpur Bazar, District- Saran, At present posted and working as Headmaster in Govt. Middle School Dumduma, Anchal - Masarak, District - Saran.
10. Akhilesh Kumar Singh, Son of Chandeshwar Singh, Resident of Village Sarbisiyan, Police Station- Jalalpur, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Naini, Anchal Sadar Chapra, District - Saran.
11. Suresh Pandit, Son of Chandram Pandit, Resident of Village Purbi Hemnagar, Police Station-Chapra Muffasil, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Sahu Middle



School Musehri, Anchal - Chapra Sadar, District - Saran.

12. Prabhunath Prasad, Son of Ganesh Prasad, Resident of Mohalla - Jain Colony, Bichla, Telpa, Police Station- Chapra Nagar, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Urdu Upgraded Middle School Chapra Sadar, Anchal Chapra Sadar, District - Saran.
13. Arvind Kumar, Son of Ram Pravesh Prasad Yadav, Resident of Village - Tehati, Police Station- Marhowrah, District- Saran, At present posted and working as Headmaster in Govt. Upgraded Middle School Nandanpur, Anchal Taraiya, District - Saran.
14. Sushil Kumar, Son of Musafir Roy, Resident of Village Khalispur, Police Station- Baniyapur, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Mahammadpatti, Anchal-Nagra, District - Saran.
15. Sanjay Kumar Prasad, Son of Sawalia Prasad, Resident of Village-Shyamchak Chapra, Police Station- Bhagwan Bazar, District- Saran, At present posted and working as Headmaster in Govt. Upgraded Middle School Mashrakh Ashram, Anchal Mashrakh, District - Saran.
16. Jayprakash Kumar Rajak, Son of Bindalal Prasad, Resident of Mohalla-Kuldeep Nagar No.- 44, Dhala, Police Station- Muffasil Chapra, District-Saran, At present posted and working as Trained Graduate Teacher in Govt. Kanya Upgraded Middle School Newasi Tola, Anchal - Chapra Sadar, District - Saran.
17. Prabhat Kr. Sharma, Son of Ramchandra Sharma, Resident of Village Enai, Police Station- Revelganj, District- Saran, At present posted and working as Headmaster in Govt. Upgraded Middle School Dewariya, Anchal - Mashrakh, District - Saran.
18. Vyas Singh, Son of Late Gauri Shankar Singh, Resident of Village-Ramgarh, Police Station- Siswan, District- Siwan, At present posted and working as Headmaster in Govt. Kanya Middle School Benaut, Ekma -2, Anchal - Ekma, District - Saran.
19. Anil Ram, Son of Mohan Ram, Resident of Village and Post Office Ashok Nagar, Police Station- Jalalpur, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Shankardih, Anchal Jalalpur, District Saran.
20. Ravi Kant Pd. @ Ravi Kant Prasad, Son of late Sinheshwar Prasad, Resident of Village - Ramkrishnpura Masumganj, Police Station- Bhagwan Bazar, District- Saran At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Badi Musehari (Mira Musehari), Anchal - Chapra Sadar, District Saran.
21. Nurul Hoda Ansari, Son of Md. Idrish, Resident of Village - Karimchak Rahat Road, Police Station- Town Thana, District- Saran, At present posted and working as Headmaster in Govt. Middle School Khaira, Anchal - Nagra, District - Saran.
22. Manika Nand Pandey, Son of Late Brajendra Narayan Pandey, Resident of Mohalla - Vivekanand Colony Kashi Bazar, Chapra, Police Station-Bhagwan Bazar, District- Saran, At present posted and working as Trained



- Graduate Teacher in Govt. Upgraded Kanya Middle School Sandha, Anchal - Chapra Sadar, District- Saran.
23. Arun Kumar Mishra, Son of Shambhu Sharam Mishra, Resident of Mohalla Chandmari Road, Hanuman Nagar, Chapra, Police Station- Muffasil, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Middle School Umdha, Anchal Chapra Sadar, District - Saran.
 24. Manoj Kumar Sah, Son of Late Arjun Prasad Sah, Resident of Village Kamta, Baniyapur, Police Station-Baniyapur, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Middle School Majhwaliya, Anchal - Jalalpur, District - Saran.
 25. Jay Kr. Sah, Son of Paras Sah, Resident of Village Darwan Tola, Police Station-Isuapur, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Pearepur Darwan Urdu, Anchal - Isuapur, District - Saran.
 26. Dharmendra Kumar, Son of Ram Bharosa Bhagat, Resident of Village - Rajapatti, Police Station-Baikunthpur, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Chandkudariya SC Tola, Anchal Mashrakh, District - Saran.
 27. Md. Rafi Ansari, Son of Md. Muslim Ansari, Resident of Village Chota Telpa Chpra, Police Station-Nagar Chapra, District- Saran, At present posted and working as Headmaster in Govt. Middle School Bahadurpur, Anchal - Mashrakh, District - Saran.
 28. Manoj Kumar, Son of Late Ramsewak Prasad, Resident of Village MS Daldali Bazar, Chapra, Police Station-Town Thana, District- Saran, At present posted and working as Headmaster in Govt. Middle School Mahamda, Anchal - Garkha, District - Saran.
 29. Vijay Kumar Ram, Son of Krishna Kumar Ram, Resident of Village Bisunpur Jagdish, Police Station-Marhowrah, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Pakaha, Anchal Marhowrah, District Saran.
 30. Sanjiv Kumar Sinha, Son of Ram Binod Singh, Resident of Flat No.- 403, Rajendra Complex, Nirala Nagar, Near Gyan Niketan School, Police Station-Digha, District- Patna, At present posted and working as Headmaster in Govt. Upgraded Middle School Semari Kanya, Anchal - Masrakh, District - Saran.
 31. Manoranjan Kumar Singh, Son of Late Ram Nagina Singh, Resident of Village Salimapur, Police Station-Marhowrah, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Assaw, Anchal - Marhowrah, District Saran.
 32. Sanjeev Kumar, Son of Ramashankar Prasad, Resident of Ward No.- 9, Gudari Bazar, Takkar Mor, Police Station Bhagwan Bazar, District Saran at Chapra, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Naini Uttar Tola, Anchal Chhapra Sadar, District Saran.
 33. Shankar Nath, Son of Bharat Singh, Resident of Village Rampur, Police Station-Hussainganj, District- Siwan, At present posted and working as Headmaster in Govt. Upgraded Middle School Parasgarh Hindi, Anchal -



Ekma, District - Saran.

34. Anjani Kumar, Son of Jhari Lal Prasad, Resident of Village - Hanuman Nagar, Police Station-Muffasil Thana, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Mubarakpur, Anchal Garkha, District Saran.
35. Vinay Kumar Tiwari, Son of Mohan Tiwari, Resident of Mohalla Near Braj Kishor School, Gali No.- 4, Police Station- Town Thana, District- Saran, At present posted and working as Headmaster in Govt. Upgraded Middle School Gangauli, Anchal Mashrakh, District Saran.
36. Kumar Raju Das, Son of Late Bhola Ram, Resident of Village Godana, Ravidas Nagar, Police Station- Revilganj, District- Saran, At present posted and working as Trained Graduate Teacher in Govt. Kanya Middle School Manjhi, Anchal - Manjhi, District - Saran.
37. Ashish Kumar, Son of Manindra Maharaj, Resident of village- Mohan Nagar, Chapra, P.S.- Chapra Town, District- Saran At present posted and working as Headmaster in Govt Middle School Sobhepur Parsa, Anchal- Parsa, District -Saran.
38. Sanjeev Kumar Singh, Son of late Subheshwar Singh, Resident of Village Prabhunath Nagar, Police Station Chapra Muffasil, At present posted and working as Trained Graduate Teacher in Govt. Upgraded Middle School Lohra, Anchal Sadar Chapra, District - Saran.

... .. 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, Saran Division, Chapra.
6. The District Education Officer, Saran.
7. The District Programme Officer (Establishment), Saran.
8. The District Accounts Officer, Saran.
9. The District Treasury Officer, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Additional Advocate General (4)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-11-2025

Heard the parties.



2. The petitioners before this Court are the teachers/head masters of different government medical schools who have approached this Court seeking following reliefs:

“(I) For issuance of an appropriate writ in the nature of mandamus commanding for the and directing respondent authorities 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 were relieved to join their duties 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 mandamus of nature commanding and directing for 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 13.05.2025 addressed to the District Education Officer, Saran and the District Programme Officer



(Establishment), Saran 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 and monetary benefits since 01.10.2003.

(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 advertng 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.

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. Considering the averments made in the writ petition and the submissions advanced by the learned advocate for the respective parties this Court deems it fit and proper to dispose of the writ petition with the direction to the respondent no. 7, District Programme Officer (Establishment), Saran to consider the representation of the petitioners, the copies of which have



been brought on record by way of Annexure – P/7 series to the writ petition and dispose of the same preferably within a period of ten weeks from today keeping in mind the Bihar State Litigation Policy specially Clause 4(c) (1) thereof.

7. In case the claim of the petitioners finds favour and covered with the decisions herein above, admissible and consequential benefits as have been accorded to the other identically situated persons must be given to the petitioners.

8. Accordingly, the writ petition stands disposed of.

(Harish Kumar, J)

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