

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12270 of 2025

-
-
1. Abhimanyu Das son of Pradip Das, Resident of Village Gram Mojahida, P.O. and P.S.-Parbatta, District-Khagaria.
 2. Sikandar Das son of Saryug Das, Resident of Panchayat Rampur urf Rahimpur Block Parbatta, Village Gram Mojahida, P.O. and P.S.- Parbatta, District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Director Primary Education, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Khagaria, District Khagaria.
5. The District Programme Officer (Establishment) Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Sweta Raj, Advocate
For the Respondent/s : Mr. Madhukar Mishra, AC to SC(16)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-07-2025 Heard Ms. Sweta Raj, learned counsel appearing on behalf of the petitioners and Mr. Madhukar Mishra, learned AC to SC(16) for the State.

2. Petitioners have *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

“a) For issuance of an appropriate writ in the nature of mandamus commanding and directing the respondents authorities for fixation of salary of the petitioner in the trained graduate pay scale in view of the provision contained in Rule 22(A) (i) (ii) (iii) and (iv) of the fundamental rules which inter alia on promoted, the salary payable on the date of promotion would be fixed and thereafter pay fixation would be done after giving benefits of additional one increment of the existing pay scale and to pay arrears of salary of the petitioner after aforesaid fixation from the date when they have been



granted trained graduate pay scale by the respondent authorities.

b) To further direct the respondent authorities as per promotion rule go grant promotion on the post of Headmaster to the petitioner and their consequential benefits with effect from 29.12.2012.

c) For issuance of any other appropriate writ, order, direction for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

3. At the outset, learned counsel appearing on behalf of the petitioners informs that a detailed representation has been filed on behalf of the petitioners, before the District Education Officer, Khagaria but no action has been taken by the District Education Officer till date.

4. The same has been objected by the learned counsel appearing on behalf of the State on the ground that there is no reference of receiving of the said representation which is filed before the District Education Officer.

5. Considering the submissions made on behalf of the parties, as well as, the fact that the District Education Officer, for the reason best known to him, has not disposed of the application of the petitioners by redressing their grievance/s and at the same time he/she has been ignorant about the reliefs as prayed in the present writ petition. The District Education Officer is directed to immediately consider the application of the petitioners and take a final decision after providing appropriate



hearing to them, so that, their grievance/s may be considered in accordance with the law laid down by the larger bench of this court in CWJC No. 11255 of 2016, and affirmed by the Apex Court in SLP No. 6359 of 2021, without any further delay, well within a period of two weeks.

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

(Purnendu Singh, J)

Ashishsingh/-

U			
---	--	--	--

