

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15843 of 2025

1. Md. Sarfraj Alam Son of Md. Salimuddin, Resident of Mohalla - Millat Nagar, Ward No. 25, Rampara, Police Station -Katihar District - Katihar. At present posted and working as a Headmaster in Govt. Urdu Middle Kadwa Rampara, Anchal Katihar, District Katihar.
2. Arjun Kr. Saha @ Arjun Kumar Saha son of Late Shubh Narayan Saha, Resident of Mohalla - Vijay Nagar, Ward No. 21, Police Station- Katihar, District - Katihar. At present posted and working as Headmaster in Govt. Upgraded Middle School Madhepura, Anchal - Katihar, District - Katihar.

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

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC-25

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-09-2025 Learned counsel for the petitioners and learned counsel for the State are present.

2. Learned counsel for the petitioners has filed this writ petition seeking direction upon the respondent-authority to shift the date of promotion in graduate trained pay-scale (Science/Arts) and in the scale of Headmaster from the due date



of their entitlement i.e. promotion in the scale of graduate trained pay (Science/Arts) after completion of 8 years in matric trained pay scale and thereafter in the scale of Headmaster after completion of 5 years of service in graduate trained pay-scale (Science/Arts), as per the Bihar Nationalized Elementary Teacher Promotion Rules, 1993.

3. Learned counsel for the petitioners next submits that the issue with regard to the grant of promotion in graduate trained pay-scale has already been settled in ***C.W.J.C. No.15610 of 2018, Raghavendra Sharma and Others v. The State of Bihar and Others*** and the Director of Primary Education has already issued a letter dated 27.02.2023 directing all the Bihar Education Office and District Education Programme Officer to comply the direction issued in the aforesaid case and the said letter dated 27.02.2023 is appended in the writ petition as Annexure-7.

4. On the other hand, learned counsel for the State submits that the case may be directed to be considered strictly in terms of the ratio laid down in ***Raghavendra Sharma (supra)*** and necessary order be passed in accordance with law.

5. Since, the issues have already been crystallized in the aforementioned case and consequently, the letter has also



been issued by the Directorate of Primary Education vide letter dated 27.02.2023, the petitioner's representation is required to be considered by the respondents concerned, addressing their grievances, taking into account the judgment rendered in the regard referred above.

6. Considering the submission of the learned counsel for the State that they should be directed to file individual representation appending all documents which are necessary for adjudication of the relief sought in the writ petition, the petitioners are directed to file a representation within a period of four weeks from today appending all supportive materials / documents including the judgments which is being relied on by the petitioners seeking same and similar relief and on submission of such representation within further eight weeks, the grievances shall be adjudicated and necessary orders shall be passed in this regard and the consequential benefits, which accrues to the petitioners, the same shall be extended to the petitioners within a period of four weeks thereafter.

7. Accordingly, the writ application stands disposed off.

(Ajit Kumar, J)

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