

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21133 of 2021

Sanjay Kumar Sharma Son of Surya Narayan Singh Village- Dumri, P.O.-
Barahiya, District- Lakhisarai, presently posted as Headmaster at Utkramit
Middle School, Pipariya, Block- Pipariya, District- Lakhisarai

... .. 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, Pipariya.
8. The Drawing and Disbursement Officer, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
For the Respondent/s : Smt. Binita Singh, (Sc28)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 04-08-2025 Heard Mr. Sumeet Kumar Singh, learned counsel

 appearing on behalf of the petitioner and Smt. Binita Singh,

 learned SC28 for the State.

2. The petitioner in paragraph no. 1 of the present writ
petition has 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 petitioner
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 petitioner is 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 petitioner, passed by the District Education Officer, as annexed in annexure - P/1 to the writ petition, is hereby **set-aside and quashed**. The petitioner, 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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