

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14137 of 2025

Md. Abu Bakar, Son of Late Md. Ishak, Resident of Village- Sonihar, Ward No.-16, P.O- Sonihar, P.S- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

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

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Sweta Raj, Adv.
For the Respondent/s : Mr. Addl. Advocate General (09)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-09-2025 Heard the parties.

2. The petitioner has approached this Court seeking a direction upon the concerned respondents for fixation of his salary in the trained graduate pay scale in view of the provisions contained in Rule 21(1)(A), 7(i)(ii)(iii) and (iv) of the fundamental rules which explicitly provides that for the purposes of pay fixation on promotion, the salary payable on the date of promotion would be fixed and thereafter pay fixation would be done after giving benefit of one additional increment of the existing pay scale and further to pay arrears of salary to



the petitioner after aforesaid fixation.

3. Learned Advocate for the petitioner submitted that in pursuant to the order of this Court in C.W.J.C. No. 15610 of 2018, the copy of which is marked as Annexure P/7, the petitioner alongwith others have been granted promotion to the post of B.Ed pay scale, however on account of some inadvertence the petitioner has been granted promotion with effect from 2004 instead of 2002. For redressal of the grievance the petitioner has also filed a representation before the District Education Officer, Khagaria but to no avail, compelling her to approach before this Court.

4. Learned Advocate for the State fairly submitted that the petitioner has already approached before the concerned authorities who is competent to look into the matter and redress the grievance.

5. Having considered the submissions set forth by learned Advocate for the respective parties and taking note of the grievance, the present writ petition stands disposed off with a liberty to the petitioner to file a fresh representation before the respondent no. 5 preferably within a period of 2 weeks' from today.

6. In case such a representation is filed, the



respondent no. 5 shall consider the grievance of the petitioner and pass appropriate speaking order, preferably within a further period of 8 weeks.

7. It is made clear that if the claim of the petitioner finds favour, necessary consequential order shall be passed.

(Harish Kumar, J)

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