

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16163 of 2025

1. Ranjeet Kumar Son of Ram Naresh Yadav, Resident of village-Pusaho, Ward No. 05, Police Station-Bithan, District-Samastipur. At present posted as Headmaster, Government Upgraded Middle School, Hanuman Nagar, Anchal-Rosera, District-Samastipur.
2. Ram Nandan Prasad Singh, Son of Saryug Prasad Singh, Resident of village-Singhiyaghat, Police Station-Bibhutipur, District-Samastipur. Retired Teacher, Government Upgraded Middle School, Anchal- Rosera, District-Samastipur.
3. Ashok Rajak, Son of Poshan Rajak, Resident of village-Laguniya, Lagunia, Police Station-Patory, District-Samastipur. At present posted as Headmaster, Government Upgraded Middle School, Nagarbasti Navin, Anchal-Warisnagar, District-Samastipur.
4. Ajay Kumar Mehta, Son of Late Rajendra Prasad Mehta, Resident of village-Sahit, Police Station-Vidyapati Nagar, District-Samastipur. Retired Headmaster, Government Upgraded Middle School, Sarmastpur, Anchal-Vidyapati Nagar, District-Samastipur.
5. Shiv Shankar Ray, Son of Shri Mohan Lal Ray, Resident of village-Rahimpur Rudauli, Police Station-Muffasil, District-Samastipur. At present posted as Headmaster, Government Upgraded Middle School, Rajwara, Anchal-Morwa, District-Samastipur.
6. Nasir Uddin, Son of Md. Moeen Uddin, Resident of village-Tedhi Bazar, Police Station-Mohiuddin Nagar, District-Samastipur. At present posted as Headmaster, Government Upgraded Middle School, Bharsingpur, Anchal-Mohiuddin Nagar, District-Samastipur.
7. Arun Kumar, Son of Ram Shringar Sah, Resident of village-Nikaspur, Police Station-Tajpur, District-Samastipur. At present posted as Headmaster, Government Upgraded Middle School, Ashadhi, Anchal-Tajpur, District-Samastipur.
8. Arun Kumar, Son of Yashoda Nand Roy, Resident of Mohalla-Kashipur, Ward No. 33, Police Station-Samastipur, District-Samastipur. At present posted as Headmaster, Government Middle School, Punas, Anchal-Samatipur, District-Samastipur.
9. Amit Kumar, Son of Late Ram Nandan Yadav, Resident of village-Hariharpur Haria, Police Station-Hasanpur, District-Samastipur. At present posted as Headmaster, Government Middle School, Maldah, Anchal-Hasanpur, District-Samastipur.
10. Laleshwar Manjhi, Son of Late Babuji Manjhi, Resident of village-Nimi, P.O.-Kundal, Police Station-Singhiya, District-Samastipur. At present posted as Headmaster, Government Upgraded Middle School, Kankari, Anchal-Singhiya, District-Samastipur.

... .. Petitioners

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

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Navnit Kumar, AC to Government Pleader (18)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-10-2025 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 18.08.2025 addressed to the District Programme Officer (Establishment), Samastipur 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 and Accountant General are 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), Samastipur to consider the representation of the petitioners, the copies of which have been brought on record by way of Annexure – P/8 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. 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.

7. Accordingly, this writ petition stands disposed of.

(Harish Kumar, J)

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