

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16732 of 2025

1. Rajendra Prasad Son of Late Sitaram Prasad, resident of Village -Post Office- Sutihaar, Police Station - Derni, District - Saran at Chapra. Retired while working as an Assistant Teacher from Govt. Primary School Gangoi, Anchal - Parsa, District- Saran at Chapra.
2. Putul Devi, Wife of Vishwanath Singh, Resident of Village - Sutihaar Mathiya, Police Station Derni, District Saran at Chapra. Retired while working as an Assistant Teacher from Govt. Middle School Derni, Anchal Dariyarpur, District- Saran at Chapra.

... .. 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, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Saran Division, Chapra.
5. The District Education Officer, Saran at Chapra.
6. The District Education Officer -cum- the Chairman of District Teachers Promotion Committee, Saran at Chapra.
7. The District Programme Officer (Establishment), Saran at Chapra.
8. The District Programme Officer (Establishment)-cum-the Member Secretary of District Teachers Promotion Committee, Saran at Chapra.
9. The District Treasury Officer, Saran at Chapra.
10. The District Accounts Officer, Saran at Chapra.
11. The Accountant General, Birchand Patel Path, Bihar, Patna.
12. The Senior Accounts Officer, Office of the Accountant General, Birchand Patel Patha, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Uday Prasad, AC to GP-22

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER



2 01-11-2025

Heard the parties.

2. The petitioners are aggrieved with the action of the respondents in not considering their case for extending the pay-scale of graduate trained from the due date of their entitlement as per Bihar Nationalized Elementary Teacher Promotion Rule, 1993 in the light of the order passed by this Court in the case of identically situated teachers vide **C.W.J.C. No.15610 of 2018 (Raghvendra Sharma and Others v. The State of Bihar & Ors.)**. It is submitted that the petitioners have also joined as Assistant Teachers on compassionate ground in the year 1985 and have passed Sahitya Alankar from Hindi Vidyapeeth Deoghar, Jharkhand in 1993 and 1994, respectively. The said degree is held to be recognized upto 2016 for all purposes in terms with the decision of this Court in **C.W.J.C. No.16183 of 2012 (Raj Ranjan & Ors. v. The State of Bihar & Ors.)**.

3. In view of the aforesaid premise, learned Advocate for the petitioners submitted that despite the law having been settled by this Court, till date the petitioners have been deprived for consideration of their cases for promotion in graduate trained pay-scale with effect from the due date of their entitlement along with all the monetary benefits. However, the respondent authorities have adopted pick and choose method



and those who have approached this Court, have been extended the benefit and, as such, discrimination has been caused. It is also contended that the respondent authorities have issued several orders in favour of other identically situated persons in compliance with the order of this Court in C.W.J.C. No.15610 of 2018 read with the decision of C.W.J.C. No.16183 of 2012. However, till date the petitioners have not been extended such relief; hence, the present writ petition.

4. Learned Advocate for the State fairly submitted that the grievance of the petitioners is required to be considered by the concerned respondent(s) as to whether their cases are covered with the afore-noted referred decisions.

5. Having considered the submissions advanced and noticing the decisions rendered by this Court in C.W.J.C. No.15610 of 2018 and C.W.J.C. No.16183 of 2012, the present writ petition stands disposed off with a direction to the respondents no.6 and 8 to look into the matter and consider the representation of the petitioners, the copy of which has been placed on record as Annexures-P-15 (series) and P-16 (series), preferably within a period of ten weeks from the date of receipt/production of a copy of this order.

6. Suffice it to observe that if the claim of the



petitioners is found covered with the decisions referred hereinabove, the identical consequential benefit must be accorded to them within the period stipulated.

(Harish Kumar, J)

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