

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16947 of 2025**

---

1. Brahmadeo Ravidas, Son of Late Dhaneshwar Das, Resident of Village - Derma, Post Office- Sanaur, Police Station- Basantray, District- Godda, Jharkhand, At present posted as Headmaster, Government Middle School Ismailpur, Anchal- Ismailpur, District- Bhagalpur.
2. Om Prakash Das, Son of Late Jageshwar Prasad Das, Resident of Village - Aminpur, Police Station- Amarpur, District- Banka, At present posted as Headmaster, Government Middle School Habibpur Balak, Anchal - Jagdishpur, District- Bhagalpur.
3. Meena Kumari, Daughter of Late Bateshwar Rajak, Resident of Mohalla - Parbatti, Police Station-Bhagalpur City, District- Bhagalpur, At present posted as Trained Graduate Teacher, Government Middle School Sahebganj, Nagar Nigam, Anchal - Bhagalpur (Nath Nagar Urban), District- Bhagalpur.
4. Amarnath Paswan, Son of Shivnarayan Paswan, Resident of Village- Dhubai, Near Middle School, Police Station- Sanokhar, District- Bhagalpur, At present posted as Headmaster, Government Middle School Kalgiganj, Kahalgaon, Anchal - Kahalgaon, District- Bhagalpur.
5. Arun Kumar Paswan, Son of Late Furo Paswan, Resident of Village- Krishnadaspur, Police Station-Buddhuchak, District- Bhagalpur, At present posted as Headmaster, Government Middle School Madhurapur, Kahalgaon, Anchal- Kahalgaon, District- Bhagalpur.
6. Surendra Kr. Paswan, Son of Late Ghuteshwar Paswan, Resident of Village- Tahvalnagar, Police Station- Shahkund, District- Bhagalpur At present posted as Headmaster, Government Middle School Banama, Anchal- Shahkund, District- Bhagalpur.
7. Siyaram Das, Son of Saryu Das, Resident of Village - Nurpur, Police Station- Nathnagar, District- Bhagalpur, At present posted as Trained Graduate Teacher, Government Middle School Raghopur Tikar, Anchal Nath Nagar, District- Bhagalpur.
8. Sanjay Kumar, Son of Mahavir Rajak, Resident of Mohalla- Nath Nagar, Ganeshi Bagh, Police Station- Madhusudanpur, District- Bhagalpur, At present posted as Headmaster, Government Adarsh Middle School Saraukh, Anchal - Shahkund, District- Bhagalpur.
9. Jainendra Kr. Das, Son of Late Shakun Das, Resident of Village- Manikpur, Post Office- Manikpur, Police Station-Tarapur, District- Munger, At present posted as Headmaster, Government Middle School Mohadipur, Anchal - Sultanganj, District- Bhagalpur.
10. Mamta Kumari Wife of Subhash Chandra Prasad, Resident of Village - Belthu, Police Station- Shahkund, District- Bhagalpur At present posted as Headmaster, Government Middle School Belthu, Anchal - Shahkund, District- Bhagalpur.
11. Jamadar Das, Son of Buttilal Das, Resident of Village Dudhaila, Police Station- Sultanganj, District- Bhagalpur, At present posted as Headmaster, Government Middle School Kumarpur Katahara, Anchal - Sultanganj, District- Bhagalpur.
12. Kalpana Rani, Daughter of Sohan Prasad Sudhakar, Resident of Village and



Post Office - Ghorghat, Police Station- Bariyarpur, District- Munger, At present posted as Headmaster, Government Middle School Prakhand Colony, Sultanganj, Anchal - Sultanganj, District-Bhagalpur.

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

... .. Respondent/s

---

---

**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.  
For the Respondent/s : Mr. Standing Counsel 28

---

---

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL JUDGMENT**

**Date : 04-11-2025**

Heard the parties.

2. The petitioners have approached this Court for the following reliefs:-

*I. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the 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 after completion of training, they were relieved to join their respective schools on different dates 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 nature of mandamus for commanding and directing 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 25.08.2025*



*addressed to the District Education Officer, Bhagalpur and the District Programme Officer (Establishment), Bhagalpur 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. Learned Advocate for the petitioners submitted the facts are not in dispute that the petitioners were sent for In-Service Teachers Training Course for the session 2000-01 and after successful completion of training, they were relieved for joining in their respective schools on different dates, in the year 2001. Different letters to support the aforesaid contention have been placed on record. Despite the completion of the training, it is not in dispute that the examination of the said teachers were conducted in the year 2004 and the result was published on 20.06.2005. The petitioners have successfully passed the examination, but they have been denied the notional benefits of drained pay scale from the date of



relieving from teachers training, as has been accorded to the other identically situated persons. Identical issue has come up for consideration before this Court in C.W.J.C. No. 16165 of 2019, wherein on the direction given by this Court, the State has come out with Memo No. 383 dated 03.04.2025 and extended all the monetary benefit in compliance with the order of this Court. The claim of the petitioners is also identical to those of C.W.J.C. No. 16165 of 2019 as well as C.W.J.C. No. 7006 of 2024.

4. Mr. Mishra, learned Advocate for the petitioner further referring to an order of this Court passed in C.W.J.C. No. 16163 of 2025 has submitted that this Court also in the light of the afore-noted decisions directed the State authorities to consider the claim of the petitioners of those writ petition, for notional benefits of trained pay scale with effect from the date of completion of their training keeping in view the provisions of Bihar State Litigation Policy, 2011, 4(C)(1).

5. Learned Advocate for the State referring to the averments made in the counter affidavit filed on behalf of respondent no. 7 has submitted that these orders on which reliance have been placed, are not applicable to the case of the petitioner.

6. The submission afore-noted have been vehemently refuted by learned Advocate for the petitioners.



7. Considering the limited grievance of the petitioners, this Court directs the respondent no. 7 to consider the claim of the petitioners and dispose off their representation filed on behalf of the petitioners, the copies of which have been placed on record as Annexure 10 series in the light of the decisions rendered in C.W.J.C. No. 16165 of 2019 as well as C.W.J.C. No. 7938 of 2020 and also L.P.A. No. 456 of 2021, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.

8. The writ petition stands disposed off with the aforesaid direction.

9. Suffice it to observe that in case the claim of the petitioners find favour, necessary consequential benefit must be accorded to them.

**(Harish Kumar, J)**

supratim/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 10.11.2025 |
| Transmission Date | NA         |

