

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16408 of 2025**

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Kailash Chandra Jha S/o Baldev Jha, Resident of village- Navtol, P.S.-  
Lakhnaur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Department of Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Madhubani.
5. The District Education Officer, Madhubani.
6. The District Programme Officer (Establishment), Madhubani.
7. Block Education Officer, Lakhnaur, Madhubani.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Prabhakar Thakur, Advocate  
For the Respondent/s : Mr. Manoj Kumar Yadav, AC to GA-10

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      13-10-2025                      Heard learned counsel for the petitioner and  
  
learned counsel for the State.

2. The instant writ application has been filed for  
  
the following reliefs:-

*(i) For directing the respondent no.3, 5 and 6 to grant the pay scale to the petitioner who has been entitled for the pay scale given to the other Government teacher, Department of Education, Government of Bihar.*

*(ii) For directing the respondent no.3, 5 and 6 for granting the pay scale of Rs.31670/- which has been given to the other teacher in the same category. The petitioner is getting fixed salary per month instead of pay scale Rs.31670/- which is unjustifiable. The petitioner has qualified the Bihar School Examination Board*



*conducted by the Education Department, Government of Bihar and now the petitioner has categorized as a Vishisht Teacher.*

*(iii) For any other relief to which the petitioner is found entitled to in the facts and circumstances of the case.*

3. Learned counsel for the petitioner submits that the petitioner, having successfully passed the examination conducted by the Bihar School Examination Board, was issued a provisional appointment letter dated 23.12.2024, and subsequently joined the post on 01.01.2025 (Annexure-5). It is further submitted that, as apparent from Annexure-9, a similarly situated teacher, namely Anil Kumar, has been granted the benefits of the pay scale applicable to an "Exclusive Teacher". However, despite being similarly placed, the petitioner has been denied the same pay scale without any reason, and is instead being paid a fixed salary of Rs.25,000/- per month in place of the entitled Rs.31,670/-. The petitioner has already submitted a representation before the concerned authorities seeking redressal of this grievance. However, no decision has been taken, and the benefits of the "Exclusive Teacher" pay scale have not been extended to the petitioner till date.

4. On the other hand, learned counsel for the State



submits that the petitioner may be directed to file a fresh representation before the concerned respondent so that his grievances can be redressed in accordance with law.

5. Having considered the submissions advanced on behalf of the parties, this Court is of the considered view that, instead of keeping the matter pending, it would be just and proper to direct the concerned authorities to consider and decide the petitioner's claim strictly in accordance with law, taking into account his eligibility as declared pursuant to the examination conducted by the Bihar School Examination Board, in which the petitioner has been duly declared successful and qualified in terms of the applicable rules and regulations.

6. Accordingly, the petitioner is directed to file a fresh representation before the competent authority, enclosing a copy of this order along with all relevant documents in support of his claim, within a period of four weeks from today. Upon receipt of such representation, the concerned authority shall consider and dispose of the same by passing a reasoned and speaking order within a further period of eight weeks. In the event, if the petitioner is found entitled to the benefits claimed, the same shall be extended



to him within the same time.

7. With the aforesaid observations and directions,  
the instant writ application stands disposed of.

**(Ajit Kumar, J)**

shikha/-

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