

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18477 of 2025

Triveni Prasad Singh Son of Late Kanti Lal, Resident of village and Post Office- Amaia, Police Station - Asarganj, District- Munger. Retired while working as a Headmaster from Govt. Middle School Ganaili, Anchal-Tarapur, District- Munger.

... .. 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, Government of Bihar, Patna.
4. The Deputy Secretary, Finance (Pay Fixation) Department, Government of Bihar, Patna.
5. The Director, Primary Education, Bihar, Patna.
6. The Regional Deputy Director of Education, Munger Division, Munger.
7. The District Education Officer, Munger.
8. The District Programme Officer (Establishment), Munger.
9. The District Treasury Officer, Munger.
10. The District Accounts Officer, Munger.
11. The Accountant General, Birchand Patel Patha, Bihar, Patna.
12. The Senior Accounts Officer, Office of the Accountant General, Birchand Patel Path, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra, Adv
For the Respondent/s : Mr.Standing Counsel (11)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner, learned counsel for the respondent-State and learned counsel for the Accountant General, Bihar.

2. With the consent of both the parties, this writ application is being disposed of at this stage itself.



3. In the present writ application, the petitioner has prayed for the grant of following reliefs:

(i) For issuance of an appropriate writ in the nature of certiorari for quashing the entry made by the District Superintendent of Education, Munger on 30.09.2004, whereby he arbitrarily revised the pay scale of the petitioner as on 15.04.1987 at Rs. 1200 instead of 1470/-in the service book of the petitioner in contravention of the guidelines and circulars of the Education Department, wherein, it has been mentioned that Intermediate trained teacher appointed in between 1.19.1986 to 28.2.1989 are entitled for revised pay scale as per column no. 8 of resolution no. 6022 dated 18.12.1989 by giving three additional increments and, therefore, such revision in the pay scale of the petitioner at Rs. 1200/- instead of 1470/-by the then District Superintendent of Education, Munger is without any rationale.

(ii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing/declaring that the salary/pay scale of the petitioner so fixed by the authority concerned has been made in accordance with law/policy decision of the State Government, as such there is no



illegality, infirmity in the said fixation of the petitioner's pay scale at Rs. 1470/- and same is a valid and legally and fully justified.

(iii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to revise the pay scale of the petitioner since 15.04.1987 at Rs. 1470/- instead of 1200 and pay the differences of arrears of salary.

(iv) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned i.e. District Education Officer Munger or any competent authority to re-fix the petitioner's pay scale since 15.04.1987 at Rs. 1470 and pay the differences of arrears of salary, as similarly situated Shiva Kant Jha, Assistant Teacher of District Begusarai has been given revised pay scale on the basis of the direction of this Hon'ble High Court passed in C.W.J.C No. 8333 of 1999 (Shiva Kant Jha vs. the State of Bihar and Others) dated 29.07.2004, whereas, the petitioner is getting the lower pay scale than similarly situated Shiva Kant Jha.

(v) For issuance of any other writ/writs, order/orders, direction/directions for which the petitioner will be entitled in



the facts and circumstances of the present case.

4. Learned counsel for the petitioner submits that for the reliefs claimed for in the present writ application, the petitioner has already filed a representation dated 21.07.2025 vide Annexure- P-11 series, which is still pending. Learned counsel for the petitioner further submits that he would be satisfied if an appropriate direction be issued by this Court to the respondent no. 8 i.e. the District Programme Officer (Establishment), Munger to dispose of the representation of the petitioner on merit after giving an opportunity of hearing to the petitioner, within a fixed time frame by passing a reasoned and speaking order.

5. The aforesaid prayer being made by learned counsel for the petitioner is not opposed by the learned counsel appearing for the respondents.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of directing the District Programme Officer (Establishment), Munger to dispose of the representation filed by the petitioner dated 21.07.2025 vide Annexure- P-11 series on merit after giving an opportunity of hearing to the petitioner,



by passing a reasoned and speaking order. While disposing of the pending representation of the petitioner, the respondent no. 8 shall take notice of the Section 4.C.(i) of Bihar State Litigation Policy, 2011. The entire exercise must be completed by the District Programme Officer (Establishment), Munger within six months from the date of production of a copy of this order by the petitioner. In case, the petitioner is found entitled to the relief, the same should be extended to the petitioner within a period of three months from the date of passing of the final order.

7. With the aforesaid observation/direction, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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