

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16975 of 2025**

1. Naval Kishore Rai S/o Faudi Rai, Resident of vill.- Bisar Patti, P.O.- Rupauli, P.S.- Jaitpur, District- Muzaffarpur.
2. Om Prakash, S/o Ambika Singh, Resident of village - Shahpur Patti, P.S.- Sahebganj, District - Muzaffarpur.
3. Vidyanand Kumar, S/o- Suraj Das Resident of village- Pokhraise, P.O.- Gibda, P.S.- Saraiya, District - Muzaffarpur.
4. Sitaram Sah, S/o Satyanarayan Sah Resident of village Datapur, P.O.- Basantpur Patti, P.S.- Saraiya, District- Muzaffarpur.
5. Lok Manya, Son of Raghav Patel Resident of Village- Isha chapra, P.O.- Bangra Nizamat, P.S.- Saraiya District - Muzaffarpur.
6. Usha Kumari, W/o Kanhaiyalal Choudhary, Resident of village Basantpur Patti, P.S.- Saraiya, District - Muzaffarpur.
7. Laliteshwar Thakur, S/o Late Baleshwar Thakur, Resident of village- Siuri Ema, P.S.- Saraiya, District- Muzaffarpur.
8. Sheo Shankar Ram, Son of Late Sheo Balak Ram, Resident of Kuiya, P.S.- Jaitpur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
5. The District Education Officer, Muzaffarpur.
6. The District Programme Officer (Establishment), Muzaffarpur.
7. The District Accounts Officer, Muzaffarpur.
8. The District Treasury Officer, Muzaffarpur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Krishna Kant Singh, Adv.  
For the Respondent/s : Mr. Sanjay Kumar, AC to SC 15

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

**Date : 04-11-2025**

Heard the parties.

2. The petitioners have approached this Court  
seeking following reliefs:

*“i. For issuance of an appropriate writ, order or  
direction, including a writ in the nature of*



*Mandamus, commanding the respondents to grant the benefits of trained teachers pay-scale to the petitioners with effect from the date they were relieved from their respective Teacher Training college/Institution after successful completion of in-service teachers training with all consequential benefits after modifying the previous order by which petitioners were granted the benefit of trained teacher pay scale w.e.f the date of publication of result of their teacher training and in some of the district similarly situated persons have been paid the said benefit.*

*ii. For a direction to the Respondents to pay all consequential monetary benefits including arrears of salary in the trained teachers' scale, along with interest at appropriate rate, from the date of such entitlement till the actual date of payment, in a time-bound manner.*

*iii. For issuance of a writ in the nature of Mandamus directing the respondents to fix the seniority of all petitioners in accordance with the trained pay scale with effect from the date they were relieved from their respective Training college/Institution after successful completion of in-service teachers training*

*iv. For directing the respondent to follow the Bihar Litigation Policy wherein similar benefit to other is to be granted if the same has been granted to similarly situated persons.*

*v. For issuance of any other writ(s), order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interest of justice.”*

3. Adverting the facts, learned Advocate for the



petitioners contended that the issue has come up for consideration before this Court in C.W.J.C. No.16165 of 2019, where a Bench of this Court vide order dated 09.08.2019 settled the issue and disposed off the writ petition with a direction to the respondents to take a final decision granting benefit of trained scale to the petitioners with effect from the date of completion of their teachers training as the delay in holding examination and publication of result can not be attributed to them. The Court underscored that one can not take advantage of his own wrong in defeating the genuine claim of others. It is further contended that similarly situated persons have approached this Court by filing different writ petitions and they have also been extended liberty to approach the concerned authority, for trained scale upon completion of their training.

4. In view of the orders referred hereinabove, the petitioners also approached the concerned authority; on receipt of the representation filed on behalf of the petitioners, the District Education Officer vide its letter No. 639 dated 30.06.2025 sought a guideline from the Director, Primary Education, Bihar, Patna. A copy of which is also placed on record as Anneuxre-P/7, but till date no decision has been taken.

5. *Per contra*, learned Advocate for the State



submitted that the claim of the petitioners is also to be considered by the authorities concerned as to whether the case of the petitioners is identical to those, who have been accorded relief(s) or not.

6. Having heard the submissions advanced by the learned Advocate for the respective parties, the writ petition stands disposed off with a direction to the petitioners to file fresh representations before the District Programme Officer (Establishment), Muzaffarpur along with necessary documents and other particulars in support of their claim within a period of four weeks from today.

7. In case, such representations are filed by the petitioners within the stipulated period, the concerned District Programme Officer shall examine the case of the petitioners in accordance with law, keeping in view the order dated 09.08.2019 passed in C.W.J.C. No.16165 of 2019 and dispose off their representations after affording a hearing, if necessary, by a reasoned and speaking order, preferably within a period of ten weeks from the date of filing of such representation(s).

8. If the claim of the petitioners is found admissible, necessary monetary benefit must be extended to the petitioners within a further period of four weeks.



9. The writ petition stands disposed off.

**(Harish Kumar, J)**

Anjani/-

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