

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16605 of 2025

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1. Kamlesh Kumar Son of Late Jagdish Yadav, Resident of Village- Balcot, Police Station- Sirdalla, District- Nawadah, presently posted as Assistant Teacher in Upgraded Middle School, Ramdasi, Block- Rajauli, District- Nawadah.
 2. Ajay Narayan Ranjan, Son of Late Karu Yadav, Resident of Village- Dudhaili, Police Station- Sirdalla, District- Nawadah, presently posted as Assistant Teacher in Primary School, Kairikhap, Block- Sirdalla, District- Nawadah.
 3. Rakesh Kumar, Son of Late Karyanand Sharma, Resident of Village- Nonai, Police Station- Nemdarganj, District- Nawadah, presently posted as Assistant Teacher in Upgraded Middle School, Diri, Block- Akbarpur, District- Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education (R.D.D.E), Magadh Division, Gaya.
4. The District Education Officer, Nawadah.
5. The District Programme Officer (Est), Nawadah, Dist - Nawadah

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Government Advocate (05)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioners and
learned counsel for the State.

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

(i) For directing the respondents concerned specially Respondent no.4 and 5 to consider the claim of petitioners for grant of Matric Trained Scale on completion of three years of joining and



further senior pay scale after completion of 12 years of service along with consequential monetary benefits in view of settled proposition of law of the High Court in CWJC No.7322 of 2017 disposed of vide order dated 11.04.2018 passed by this Hon'ble court and the same has got finality as well as Division Bench judgment passed in LPA No.756 of 2015 (State of Bihar vs. Ram Ashish Tiwary and others) decided vide order dated 16.08.2017 on the basis of which several similarly situated persons in entire State have been given the benefit of the same but petitioners have been deprived of the same arbitrarily in gross violation of Article 14 and 16 of the Constitution of India.

(ii) for directing the respondents concerned to pay the differences of salary accrued on account of consequential benefits petitioners have been appointed as Assistant Teacher in compassionate appointment in the year 2000 and 2002 respectively with specific stipulation in appointment letter that petitioners will do training within two years but respondent authorities adopting pick and choose policy sent petitioners for service training in the year 2006-2007 after much delay of four years causing much monetary loss in service career although all the three petitioners have passed the training examination in the year 2008 in the first chance.

(iii) Any other relief(s) for which the petitioner is found entitled to in the facts and circumstances of the case.

3. Learned counsel for the petitioners submits that the subject matter of this writ petition has already been adjudicated by a Coordinate Bench of this Court vide judgment dated 18.08.2025 passed in CWJC No. 13139 of 2024 appended as Annexure-P/5 to the writ application, and the case of the petitioner may be directed to be adjudicated in similar terms.

4. Considering the submissions advanced on behalf of



the parties, the respondent No. 5 is directed to consider this matter upon the submission of a representation along with supportive materials and a copy of this order within a period of four weeks from today. Upon receipt of such representation, the necessary order shall be passed by Respondent No. 4 within eight weeks thereafter.

5. It is made clear that if it is found that the claim of the petitioners is genuine and falls within the parameter of the aforesaid judgment of the Hon'ble Coordinate Bench of this Court, then benefits shall also be extended within the same time.

6. Accordingly, the instant writ application stands disposed of.

(Ajit Kumar, J)

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