

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19004 of 2025

Shri Bhagwan Rawat son of late Alakhdeo Rawat, resident of Village Karah Toal Mangralia Tola, Karah Tola, Police Station - Baniapur, District- Saran at Chapra. Retired while working as a Graduate Trained Teacher from Upgraded Middle School Kamta Pokhar, Anchal - Baniyapur, District Saran.

... .. 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, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
5. The District Education Officer, Saran, Chapra.
6. The District Education Officer cum- the Chairman of District Teachers Promotion Committee, Saran, Chapra.
7. The District Programme Officer (Establishment), Saran, Chapra.
8. The District Programme Officer (Establishment) -cum-the Member Secretary of District Teachers Promotion Committee, Saran, Chapra.
9. The District Treasury Officer, Saran, Chapra.
10. The District Accounts Officer, Saran, Chapra.
11. The Accountant General, Birchand Patel Path, 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. AC to AG
For the AG, Bihar	:	Dr. Anand Kumar, Adv. Ms. Vijeta Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-11-2025 Heard the parties.

2. The petitioner having qualification of Sahitya Bhushan (equivalent to intermediate) and further Sahitya Alankar (equivalent to graduation) from Hindi Vidyapeeth



Deoghar, Jharkhand after completing his Teachers Training Course for the session 1980-1982 through Government Primary Teachers Training College, Bangra Saran was duly selected for appointment through Bihar Public Service Commission, Patna in the year 1994. Upon completing all the paraphernalia, he submitted his joining as Assistant Teacher in the district of Saran on 19.09.1994.

3. Learned Advocate for the petitioners submitted that the dispute with regard to grant of promotion to the teachers having the degree of Sahitya Bhushan (equivalent to intermediate) and further Sahitya Alankar (equivalent to graduation) from Hindi Vidyapeeth Deoghar, Jharkhand came up for consideration before this Court in **C.W.J.C. No.16183 of 2012 [Raj Ranjan & Ors. v. The State of Bihar & Ors.)** and later on before the Full Bench of this Court in **L.P.A. No.985 of 1996 [Ramnath Prasad Singh v. The State of Bihar & Ors. And other analogous cases]**. Despite the issue having been settled with respect to the above matter, the petitioner has not been allowed graduate trained pay scale from the due date of his entitlement as per Bihar Nationalized Elementary Teacher Promotion Rule, 1993 as has been granted to other similarly situated teachers in terms with the decision rendered by this



Court in **C.W.J.C. No.15610 of 2018 (Raghvendra Sharma and Others v. The State of Bihar & Ors.)**, as the petitioner has joined as Assistant Teachers in the year 1994. For redressal of his grievance, the petitioner has filed representation before the District Education Officer, Saran, Chapra as well as the District Programme Officer (Establishment), Saran, Chapra, but to no avail. It is submitted that the claim of the petitioner is covered with the afore-noted decision but no heed has been paid and, as such, the present writ petition.

4. Learned Advocate for the State submitted that the grievance of the petitioner is required to be considered by the concerned respondent(s) as to whether his case is covered with the afore-noted decisions.

5. Having considered the submissions advanced, this Court, instead of keeping the matter pending and asking for the counter affidavit, deems it fit and proper to dispose off the same with a direction to the petitioner to file a detailed representation along with the supporting documents before the respondents no.5 and 7, the District Education Officer, Saran, Chapra and the District Programme Officer (Establishment) Saran, Chapra, preferably within a period of four weeks from today.

6. In case, such a representation is filed, the same



shall be considered and disposed off by a reasoned and speaking order keeping in mind the decisions upon which reliance has been placed by the petitioner within a further period of ten weeks.

7. Suffice it to observe that if the claim of the petitioner finds favour, necessary consequential benefit must be accorded to him.

8. This disposes the writ petition.

(Harish Kumar, J)

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