

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1577 of 2024

=====

Ajay Kumar Pandey son of Dhaneshwar Pandey, resident of Village-Kumhti, P.S. Darauli, District-Siwan, as per Aadhar Card resident of Nai Basti, Police Station-Mahadeva (O.P.), District-Siwan, at present posted and working as Zila Parishad Senior Secondary Teacher in Gaya Das Kabir High School cum Inter College, Rashilchak Mathia, Anchal-Hussainganj, District-Siwan.

... .. 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, Secondary Education, Bihar, Patna.
4. The Regional Deputy Director of Education, Saran Division, Chapra.
5. The District Magistrate, Siwan.
6. The District Panchayati Raj Officer cum Executive Officer, Zila Parishad Teacher Employment Committee, District-Siwan.
7. The District Education Officer, Siwan.
8. The District Programme Officer (Establishment), Siwan.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Mishra
For the Respondent/s : Mr. Government Pleader 5

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed seeking the
following reliefs:

“i) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to consider the claim of the petitioner for recognition and calculation of his first service rendered by him as Zila Parishad Secondary Teacher in Dhaju Singh High School Bhartuyeeagarh, District - Siwan since 05.12.2006 to 20.05.2010 for all purposes i.e.



pay protection, seniority and other benefits, as the petitioner had applied second time for his selection as Zila Parishad Senior Secondary Teacher in the year 2010 with due permission of the concerned respondent and since there was no break in service, the first service rendered by him as Zila Parishad Secondary Teacher in Dhaju Singh High School Bhartuyeeagarh, District Siwan since 05.12.2006 to 20.05.2010 is required to be calculated for all purposes.

ii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to look into the matter and take a positive decision for calculation of his first service rendered by him as Zila Parishad Secondary Teacher in Dhaju Singh High School Bhartuyeeagarh, District-Siwan since 05.12.2006 to 20.05.2010, as even after repeated request and after lapse of more than 13 years, the first service of the petitioner has not been calculated for all purposes i.e. pay protection, seniority and other benefits etc.

iii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner will be found entitled in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the petitioner's case is squarely covered by the order passed by a co-ordinate Bench of this Court in C.W.J.C. No. 13716 of 2016 dated 22.10.2024.

4. Considering the aforesaid facts, since the case of the petitioner stands on similar footing to that of the petitioner of C.W.J.C. No.13716 of 2016, there is no requirement to keep pending the present writ application.



5. Considering the fact that petitioner's case is squarely covered by the order passed in C.W.J.C. No. 13716 of 2016, the petitioner is directed to file a detailed representation along with a copy of the order passed in C.W.J.C. No. 13716 of 2016 before the respondent no. 7 (the District Education Officer, Siwan) within 30 days and the respondent no. 7 is well advised to consider the case of the petitioner after affording opportunity of personal hearing or through his counsel and pass a reasoned and speaking order, in accordance with law, considering the order passed in C.W.J.C. No. 13716 of 2016, within two months thereafter.

6. It is made clear that the respondent no.7 shall be personally responsible for non-compliance of this order within the stipulated period.

7. If the petitioner is found entitled to any consequential benefits, then the payment of the same would be made to the petitioner within four months thereafter.

8. Accordingly, this writ petition stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

U			
---	--	--	--

