

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.227 of 2025

1. Binod Choudhary S/o Lalchand Choudhary, Resident of Village and PO- Barah, P.S.- Harnaut, District- Nalanda. Presently working as Headmaster in Upgraded Middle School Kalyanbigha, Block- Harnaut, District- Patna. Pin Code-803110.
2. Brind Kr. Paswan S/o- Brije Paswan Resident of Village- Kalyanbigha, P.O.- Barah, P.S.- Harnaut, District- Nalanda. Presently working as Assistant Teacher in Upgraded Middle School, Daili, Block- Harnaut, District- Nalanda. Pin Code 803110.
3. Niranjana Paswan S/o- Ashok Paswan Resident of Mohalla- Kalali Road, Ward no. 23, Kajichak, P.O. and P.S.- Barh, District- Patna. Presently working as Assistant Teacher in Primary School, Gosain Bigha, Block- Harnaut, District- Nalanda. Pin Code 803213.
4. Jhalak Dev Choudhary S/o- Chandeshwar Choudhary Resident of Village- Panchshil Nagar, P.O. and P.S.- Harnaut, District- Nalanda. Presently working as Headmaster in Middle School, Kharuara, Block- Harnaut, District- Nalanda. Pin Code 803110.
5. Bahadur Ram S/o- Ramji Ram Resident of Village and P.O.- Jansari, P.S. Bind, District- Nalanda. Presently working as Headmaster in Middle School, Soradih, Block- Harnaut, District- Nalanda. Pin Code 803107.
6. Upendra Paswan S/o- Bishu Paswan Resident of Village and P.O.- Asthana, P.S.- Shekhopur Sarai, District- Sheikhpura. Presently working as Graduate Teacher in Upgraded Middle School, Nizampura, Block- Asthawan, District- Nalanda. Pin Code 801101.
7. Abhay Kumar Arya S/o- Nathun Prasad Resident of Village and P.O.- Narsanda, P.S.- Harnaut, District- Nalanda. Presently working as Headmaster in Upgraded Middle School, Haweli, Block- Biharsharif, District- Nalanda. Pin Code 803110.
8. Satish Kumar S/o- Late Kameshwar Ram Resident of At- Kaghzi Mohalla Etwari Bazar, P.O.- Biharsharif, P.S. Biharsharif, District- Nalanda. Presently working as Headmaster in Middle School, Barara, Block-Noorsarai, District- Nalanda. Pin Code 803118.
9. Nilendu Kumar S/o- Late Kameshwar Prasad Resident of Village Arawan, P.O.- Parwalpur, P.S.- Ben, District- Nawada. Presently working as Headmaster in Upgraded Middle School, Khirauti, Block- Parwalpur, District- Nalanda. Pin Code 803114.
10. Narayan Kumar S/o- Laldhari Ravidas Resident of Village- Kharuara, P.O.- Chero, P.S.- Harnaut, District- Nalanda. Presently working as Headmaster in Upgraded Middle School, Gosaimath, Block- Harnaut, District- Nalanda. Pin Code 803110.
11. Krishna Kumar S/o- Late Ramlakhan Chaudhari Resident of Village- Ramchandarpur, P.O.- Biharsharif, P.S.- Biharsharif, District- Nalanda. Presently working as Headmaster in Middle School, Ratanpura, Block- Islampur, District- Nalanda. Pin Code 803103.
12. Shishupal Sinha S/o- Late Rameshwar Prasad Sinha Resident of Village-



Barahmsthan, P.O.- Rukhai, P.S. Chandi, District- Nalanda. Presently working as Assistant Teacher in Primary School, Nosara, Block- Noorsarai, District- Nalanda. Pin Code 803113.

13. Sanjay Kumar S/o- Late Babuchand Prasad Resident of Village- Keshopur, P.O. and P.S.. Telhara, District- Nalanda. Presently working as Headmaster in Middle School, Pradiha, Block- Nagarnausa, District. Nalanda. Pin Code-801305
14. Raju Chaudhary S/o- Late Lalbihari Chaudhary Resident of Village- Gondubigha, P.O.. Mohiuddinpur, P.S.- Chiksaura, District- Nalanda. Presently working as Headmaster in Middle School, Sakrorha, Block- Nagarnausa, District- Nalanda. Pin Code-801305.

... .. Petitioner/s

Versus

1. The State of Bihar through its The Additional Chief Secretary cum The Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary cum The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The Joint Secretary, Education Department, Bihar, Patna.
5. The District Education Officer, Patna.
6. The District Programme Officer (Establishment), Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate
For the Respondent/s : Mr. Standing Counsel (16)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-01-2025 Heard Mr. Rama Kant Singh, learned counsel

appearing on behalf of the petitioners and leaned SC 16 for the

State.

2. Petitioners have *inter alia* prayed for following
reliefs in the paragraphs No.1 of the writ petition:-

*“That this is an application for issuance of an
appropriate writ(s)/order(s) for directing to the
respondents to give the matric trained pay scale to the*



petitioners from the date of their joining in the right of C.W.J.C. No.6139 of 2007 (Ram Ashish Tiwary and others Vs. the State of Bihar and other) dated 31.03.2011 which was upheld by the Division Bench of this Court by the judgment dated 16.08.2017 passed in L.P.A. No.756 of 2015 (The State of Bihar and others Vs. Ram Ashish Tiwary and others).

3. Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the judgment passed in LPA No. 756 of 2015 arising out of C.W.J.C. No. 6139 of 2007 dated 16.08.2017. Hence, the petitioners are entitled to the similar relief as per the State Litigation Policy under Clause 4(c)(1) which reads as follows:-

“4.C Covered Matters: 4.C (1). A good number of cases are from the category of similar cases. Each Government Department will aim to consider and settle the claim of the representationist/applicant-employee/citizen, if the claim is found covered by any decision of the Court. Many service matters of this nature, can be disposed of at the level of the Department itself without compelling the litigant to come to the Court. In this manner, the Government Departments would be acting as efficient litigants.

4. Considering the submissions made on behalf of the petitioners, the present writ application stands disposed of in light of the order passed in C.W.J.C. No. 6139 of 2007 dated 31.03.2011 and L.P.A. No. 756 of 2015 dated 16.08.2017 and the State Litigation Policy as quoted above.



5. The benefit granted to the petitioner of the aforesaid C.W.J.C. No. 6139 of 2007 dated 31.03.2011, shall be extended to these petitioners within a period of six months from the date of making such representation before the competent authority.

6. It is made clear that the Chief Secretary, Bihar must call for the report from the Additional Chief Secretary, Education Department in respect of the cases which are covered by the judgment of this Court and take a decision by directing the authorities concerned to act in accordance with the provision of Bihar Litigation Policy, 2011.

7. The State counsel is directed to communicate this order to the Chief Secretary, Government of Bihar forthwith.

8. Accordingly, the instant petition stands disposed of.

(Purnendu Singh, J)

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