

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1207 of 2025

1. Virendra Kumar S/o Ram Lakhan Prasad, Resident of Mohalla- Muraripur, P.O.- Biharsharif, P.S.- Laheri, District- Nalanda, Presently working as Headmaster in Upgraded Middle School Parmanand Bigha, Block- Noorsarai, District- Patna, Pin Code- 803114.
2. Sharwan Kumar, S/o- Rajendra Prasad, Resident of At and P.O. and P.S.- Parwalpur, District- Nalanda, Presently working as Graduate Arts Teacher in Upgraded Middle School, Parmanand Bigha, Block - Noorsarai, District- Nalanda, Pin Code - 803114.
3. Satish Kumar, S/o Baldev Prasad, Resident of Mohalla- Bhainsasoor, Near Hospital More, P.O. and P.S.- Biharsharif, District- Nalanda, Presently working as Headmaster in Upgraded Middle School Kishunpur, Block- Noorsarai, District- Nalanda, Pin Code- 803114.
4. Arvind Kumar, S/o- Nand Kishore Pandey, Resident of Village- Nirpur, P.O.- Ganpura, P.S.- Noorsarai, District- Nalanda, Presently working as Headmaster in Upgraded Middle School, Ganpura, Block- Noorsarai, District- Nalanda, Pin Code 803113.
5. Jayant Kumar, S/o- Jairam Prasad Sinha, Resident of At- Ashanagar, P.O. and P.S.- Sohsarai, District- Nalanda, Presently working as Graduate Teacher in Upgraded Middle School, Doiya Pathraura, Block- Noorsarai, District- Nalanda, Pin Code 803118.
6. Dilip Kumar Chkravarti, S/o- Rameshwar Prasad, Resident of At- Ramdiha, P.O.- Amba, P.S.- Noorsarai, District- Nalanda, Presently working as Graduate Teacher in Middle School, Nirpur Bodhaul, Block- Noorsarai, District- Nalanda, Pin Code 803113.
7. Anil Kumar, S/o- Prameshwar Prasad Singh, Resident of At Patel Nagar Sohsarai, P.O. and P.S.- Sohsarai, District- Nalanda, Presently working as Graduate Science Teacher in Middle School, Daruara, Block- Noorsarai, District- Nalanda, Pin Code 803216.
8. Satish Chandra Ray, S/o- Ram Babu Prasad, Resident of At- Sohsarai Kathal Tola, P.O. and P.S.- Sohsarai, District- Nalanda, Presently working as Headmaster in Middle School, Tira, Block- Harnaut, District- Nalanda, Pin Code 803110.
9. Shailendra Kumar Vidyarthi, S/o- Late Munni Lal, Resident of At- Manglanagar Ramchandrapur, P.O.- Biharsharif, P.S.- Laheri, District- Nalanda, Presently working as Graduate Teacher in Middle School, Nari, Block- Noorsarai, District- Nalanda, Pin Code 803114.

... .. 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 : Ms. Deepika Sharma, AC to SC-15

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-03-2025 Heard learned counsel for the petitioners and learned
AC to SC-15 for the State.

2. Learned counsel appearing on behalf of the petitioners submits that the instant writ application has been filed for a direction upon the respondents to give the matric trained pay scale to the petitioners from the date of their joining in light of the order dated 31.03.2011 passed in C.W.J.C. No. 6139 of 2007 (Ram Ashish Tiwary and others Vs. The State of Bihar and others) which was upheld by the Hon'ble Division Bench of this Court by a 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 appearing on behalf of the State at this stage submits that it appears that the petitioners have rushed to this Court seeking a direction upon the authorities for giving the similar benefit which has been given to the petitioners of C.W.J.C. No. 6139 of 2007 on the ground of parity but then it is submitted that from perusal of the pleadings made in the writ application, it would manifest that the petitioners have rushed to this Court



without approaching the authorities seeking redressal of their grievance in light of the order dated 31.03.2011 passed in C.W.J.C. No. 6139 of 2007 which was upheld by the Hon'ble Division Bench in L.P.A. No. 756 of 2015. It is further submitted that the basic principles for issuing a writ of mandamus is demand and refusal but then the petitioners instead of moving before the authorities have directly approached this Court.

4. Learned counsel appearing on behalf of the petitioners is not in a position to rebut the said submissions of the learned counsel appearing on behalf of the State that petitioners prior to approaching this Court have not approached the authorities seeking redressal of their grievance as raised in the instant writ application, as such, the Court finds no merit in the writ application.

5. Hence, the writ application is dismissed.

6. However, the same would not preclude the petitioners from approaching the authorities seeking redressal of their grievance as raised in the instant writ application.

(Satyavrat Verma, J)

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