

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20617 of 2025

1. Madhawa Nand Sharma Son of Late Damodar Sharma, Resident of Village-Kharidi Matihani Rampur- Matihani, P.O. Matihani, P.S. Matihani, District-Begusarai, presently posted as Head Master in Government Middle School, Makardahee, Begusarai.
2. Jai Prakash Jyoti, Son of Late Kusheswar Paswan, Resident of Bagha, Yaspalnagar, Ward no-24, PO- Suhirdnagar, P.S. Lohiyanagar, District-Begusarai, presently posted as Head Master in Government Middle School, Sankh, Begusarai.
3. Ranjan Kumar Jha @ Ranjan, Son of Rajnikanth Jha, Resident of Village and P.O. Birpur, P.S. Birpur, District-Begusarai, presently posted as Headmaster in Utkramit Middle School, Fazilpur, Begusarai.
4. Kumari Punam, Wife of Sunil Kumar Sinha, Resident of Papraur, PO-Papraur, P.S. Barauni, District- Begusarai, presently posted as Headmaster in Middle School, Masnadpur, Bihat Begusarai.
5. Vijay Kumar, Son of Baleshwar Yadav, Resident of Village- Pipra Dewas, PO- Barauni P.S. Barauni, District- Begusarai, presently posted as Headmaster in Middle School, Bakhatpur, Begusarai.
6. Motilal Rajak, Son of Rajendra Rajak, Resident of Village- Mosadpur, PO-Barauni P.S. Barauni, District- Begusarai, presently posted as Head Master in Government Middle School Simaria, Barauni, Begusarai.
7. Kanhai Chandra Rai, Son of Jagdish Chandra Rai, Resident of Village and PO- Chakia, P.S. Chakia District- Begusarai, presently posted as TGT in Upgraded Middle School, Bihat-03, Begusarai.
8. Ghanshyam Sah, Son of Baijnath Sah, Resident of Mahna, P.O. Mahna, P.S. Barauni, District-Begusarai, presently posted as Headmaster in Government Middle School, Chapki, Begusarai.
9. Rajesh Kumar, Son of Ram Badan Das, Resident of Ibrahimpur, Bihat P.O. Bihat, P.S. Barauni, District- Begusarai, presently posted as TGT in Utkramit Middle School Siswa, Barauni, Begusarai.
10. Prabhat Kumar, Son of Chandra Kumar Roy, Resident of New Colony Ulaw, PO- Ulaw, P.S. Singhual, District- Begusarai, presently posted as TGT in Upgraded Middle School, Sabaura, Barauni, Begusarai.
11. Sudhir Kumar, Son of Yadunandan Singh, Resident of Village- Lakho, PO-Lakho, P.S. Lakho, District- Begusarai, presently posted as Headmaster in Upgraded Middle School, Manjhlapur, Begusarai.
12. Indra Deo Singh, Son of Kailash Singh, Resident of Village Amarpur, PO-Chakia P.S. Chakiya, District- Begusarai, presently posted as Headmaster in Upgraded Middle School, Premchand Nagar, Barauni, Begusarai.
13. Manoj Kumar Singh, Son of Upendra Narayan Singh, Resident of Vill and PO- Mohanpur, P.S. Bakhri, District- Begusarai, presently posted as Headmaster, Government Middle School, Chakhamid Nandail, Bakhri, Begusarai.
14. Mithlesh Kumar, Son of Upendra Kumar, Resident of Village- Fatehpur,



Ward No- 13, P.O. Suhirdnagar, P.S. Singhual, District- Begusarai, presently posted as Headmaster, Upgraded Middle School, Phulkari, Barauni, Begusarai.

15. Prem Kumar, Son of Wakil Rajak, Resident of Village- Bahadarpur, PO- Lakho P.S. Muffasil, District- Begusarai, presently posted as TGT in Upgraded Middle School, Kharidi North, Matihani Begusarai.
16. Dhananjay Kumar, Son of Jaijai Ram Jha, Resident of Amrour, PO- Singhual P.S. Muffasil, District- Begusarai, presently posted as Head Master in Govt. Middle School, Ratauli, Begusarai.
17. Homolal Mahendra, Son of Bindeshwari Mahato, Resident of Village- Fatehpur, P.O. Sadanandpur, P.S. Teghra, District- Begusarai, presently posted as Head Master in Upgraded Middle School, Tulsitol Balia, Begusarai.
18. Om Prakash, Son of Ram Charitra Rajak, Resident of Village- Hardia, PO- Rajaura P.S. Muffasil, District- Begusarai, presently posted as Headmaster in Upgraded Urdu Middle School, Karichak, Begusarai.
19. Raj Kumar Sah, Son of Natho Sah, Resident of Manopur, PO- Manopur, P.S. Bhagwanpur, District- Begusarai, presently posted as Head Master in Upgraded Middle School Urdu, Ninga, Begusarai.
20. Rajesh Kumar Choudhary, Son of Surendra Chaudhary, Resident of Phulwariya, PO- Barauni, P.S. Phulwariya, District- Begusarai, presently posted as TGT in Middle School, Asuraree, Begusarai.
21. Ashok Kumar Das, Son of Ramdeo Das, Resident of Baghi, Ward no 25, PO- Suhirdnagar, P.S. Muffasil, District- Begusarai, presently posted as Head Master, Upgraded Middle School, Sahuri Navin, Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
4. The Director, Secondary Education, Education Department, Govt. of Bihar, Patna.
5. The Regional Deputy Director of Education, Munger Division, Munger.
6. The District Education Officer, Begusarai, Bihar.
7. The District Programme Officer (Establishment), Begusarai, Bihar.
8. The District Accounts Officer, Begusarai, Bihar.
9. The District Treasury Officer, Begusarai, Bihar.

... .. Respondent/s

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Appearance :



For the Petitioner/s : Mr.Prashant Kumar, Adv
For the Respondent/s : Mr.Government Pleader (3)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioners and learned
counsel for the respondent-State.

2. With the consent of both the parties, this writ
application is being disposed of at this stage itself.

3. In the present writ application, the petitioners have
prayed for the grant of following reliefs:

“(i) *For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to provide the benefits in the light of letter no. 571 dated 13.06.2023 issued under the signature of the Director, Primary Education, Education Department, Govt. of Bihar, Patna, in compliance of the order passed by this Hon'ble High Court on 09.08.2019 in CWJC No. 16165 of 2019 (Kishor Kumar and Others vs. the State of Bihar and Others) as also in the light of memo no. 383 dated 03.04.2025 issued by the District Programme Officer (Establishment), Gaya in compliance of the order dated 14.11.2024 passed by this Hon'ble High Court in CWJC No. 7006/2024 (Jitendra Kumar and Others*



vs. the State of Bihar and Others) by which, direction has been given for providing the notional benefits of trained pay scale from the date of relieving after completion of training and monetary benefits since 01.05.2001 and since the Petitioners had been sent for one year in-service teachers training course for the session 2000-2001 and were relieved to join their duties in the year 2001 and in the light of the aforesaid letters, the Petitioners are entitled for grant of notional benefits from the date of relieving from teachers training, the date on which, they were relieved to join their respective schools after completion of training and due to not providing the notional benefit from the date of their entitlement, the Petitioners are at loss of seniority etc.

(ii) For issuance of an appropriate writ in the nature of mandamus commanding and directing for the respondent authorities concerned to consider the case of the Petitioners in the light of the aforesaid letter no. 571 dated 13.06.2023 issued under the signature of the Director, Primary Education, Education Department, Govt. of Bihar, Patna as also the memo no. 383 dated 03.04.2025 issued by the District Programme Officer (Establishment), Gaya, which have been issued in compliance of the



judicial orders passed by this Hon'ble High Court, and provide the notional benefits from the date of completion of training, as there is laches on the part of the respondent/State for not sending the Petitioners for in-service teachers training course and taking examination belatedly in which all the Petitioners successfully passed.

(iii) For issuance of an appropriate writ in the nature of mandamus as an alternative prayer of the Petitioners for directing the respondent authorities concerned to dispose of the representations of the Petitioners dated 18.08.2025 23 addressed to the District Programme Officer (Establishment), Begusarai by reasoned and speaking order by ventilating the genuine grievance of the Petitioners for providing the notional benefits from the date of relieving after successful completion of teachers training and monetary benefits since 01.05.2001.

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

4. After advancing some argument, learned counsel for the petitioners submits that for seeking the aforesaid reliefs,



several representations have filed by the petitioners but none of them have been disposed upto now. However, he further submits that the petitioners are prepared to file a fresh detailed representation before the Director, Primary Education, Government of Bihar, Patna and prays that if such a representation is filed within the stipulated time then the Director, Primary Education, Government of Bihar, Patna may be directed to dispose of the representation filed by the petitioners on merit within a fixed time frame, after giving an opportunity of hearing to the petitioners.

5. To the aforesaid prayer being made by learned counsel for the petitioners, learned counsel appearing for respondent-State does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of granting liberty to the petitioners to file a fresh detailed representation before the Director, Primary Education, Government of Bihar, Patna within one month from today and if such a representation is filed within the stipulated time then the Director, Primary Education, Government of Bihar, Patna is directed to dispose of the same on merit within a further period of three months from the date of receiving the representation,



after giving an opportunity of hearing to the petitioners. Needless to emphasize that the final order which shall be passed by the Director, Primary Education, Government of Bihar, Patna should be a reasoned and speaking order. It is made clear that in case, the petitioners are found entitled to the relief which they would be claiming through the fresh representation, the same should be extended to the petitioners as expeditiously as possible preferably within a further period of three months from the date of passing of the final order.

7. With the aforesaid observation/direction and liberty granted, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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