

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1989 of 2026

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Rajesh Kumar Bhagat Son of Late Bidyanand Bhagat, Resident of Village and P.O- Khesar, P.S- Belhar, District- Banka, presently posted as Headmaster, Upgraded Middle School, Geratikar, Block- Fullidumar, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education (R.D.D.E), Bhagalpur.
5. The District Education Officer, Banka.
6. The District Programme Officer (Establishment), Department of Education, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra
For the Respondent/s	:	Mr. Pankaj Kumar, SC-12
		Mr. Sudama Kumar, AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 09-02-2026 Heard learned counsel for the petitioner and

learned counsel for the respondents.

2. The instant writ application has been filed for the

following relief(s):-

(i) For directing the respondent authority to shift/ extend the date of granting Matric Trained scale to the petitioner w.e.f. 05.09.1999, in view of the law laid down by the Division Bench of this Court vide judgment dated 10.12.2018 passed in LPA No.1409/2017 (Raj Narain Singh and others vs. the State of Bihar and others) as well as Memo No.1594 dated 26.11.2019 issued by the Additional Chief Secretary, Department of Education, Bihar,



Patna, considering that the petitioners are also similarly situated teachers/ persons to whom the said benefits have been granted by the respondent authority concerned.

(ii) For a further direction to make payment of differences of salary and other consequential benefits in view of shifting/ extending the date of such matric trained pay scale to the petitioners.

(iii) For any other relief for which the petitioner is found entitled to, in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the case of the petitioner is squarely covered by the judgment rendered by the Division Bench of this Court in LPA No. 1409 of 2017 dated 10.12.2018. It is, therefore, prayed that the respondents be directed to consider the claim of the petitioner with regard to grant of matric trained pay scale to the petitioner with effect from 05.09.1999, whereas the same has been granted with effect from 01.06.2005.

4. On the other hand, learned counsel for the State submits that the issues have already been adjudicated and that, if the case of the petitioner is squarely covered by the aforesaid judgment, the respondents may be directed to pass a reasoned and speaking order, considering the ratio laid down in the said judgment.

5. In view of the foregoing discussions, the petitioner



is directed to file a fresh and detailed representation, making specific reference to the earlier representation filed, before respondent no. 6, within a period of four weeks from today. Upon filing of such representation, the claim of the petitioner shall be adjudicated within a further period of twelve weeks, and the benefits to which the petitioner is found entitled shall also be extended in his favour within the same time frame.

6. With the aforesaid observations and directions, the instant writ application stands disposed of.

(Ajit Kumar, J)

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