

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4146 of 2026

Rameshwar Prasad Singh son of Late Sita Ram Singh, Resident of Mohalla Mahatma Gandhi Nagar, Bazar Samiti Road, Buxar, Buxar, Post Office-Gajadharganj, Police Station District-Buxar.

... .. 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, Primary Education, Education Department, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Patna Division, Patna.
5. The District Education Officer, Rohtas at Sasaram.
6. The District Education Officer-cum-the Chairman of District Teachers Promotion Committee, Rohtas at Sasaram.
7. The District Programme Officer (Establishment), Rohtas at Sasaram.
8. The District Programme Officer (Establishment)-cum-the Member Secretary of District Teachers Promotion Committee, Rohtas at Sasaram.
9. The District Accounts Officer, Rohtas at Sasaram.
10. The District Treasury Officer, Rohtas at Sasaram.
11. The Accountant General, Birchand Patel Path, Bihar, Patna.
12. The Senior Accounts Officer, Office of the Accountant General, Birchand Patel Path, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Government Pleader (11)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner and learned counsel appearing for the respondent State.

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



3. In the present writ application the petitioner has 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 grant the benefits of promotion in the scale of graduate trained pay scale and in the scale of Headmaster to late wife of the petitioner, namely, Vimla Singh from the due date of her entitlement, as per Bihar Nationalized Elementary Teacher Promotion Rule, 1993 in the light of the order passed by this Hon'ble High Court in the case of similarly situated teachers vide CWJC No. 15610 of 2018 (Raghvendra Sharma and Others vs. the State of Bihar and Others) and to pay all the differences of arrears of salary of promotion in the scale of graduate trained pay and the scale of Headmaster to the petitioner, who is husband of late Vimla Singh and also pay to him the differences of arrears of salary and family pension and also to revise the monthly pension as his wife late Vimla Singh had been appointed in the year 1982 through district panel of Rohtas and in spite of having all the requisite qualification of graduation, she had not been given the promotion in graduate trained pay scale and the scale of Headmaster from the due date of her entitlement even though the late wife of the petitioner has been given I.Sc. trained pay scale since 10.12.1982 and in the matter of I.Sc. trained pay scale, the late wife of the petitioner will be senior to matric trained teacher and her entitlement in graduate trained pay scale is prior to such teachers, who are in matric trained pay



scale, as since 01.01.1986, the I.Sc. trained pay scale and matric trained pay scale has been merged in one scale i.e. matric trained pay scale by providing three additional increments as well as seniority etc.

II. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities especially the District Education Officer, Rohtas at Sasaram and the District Programme Officer (Establishment), Rohtas at Sasaram to consider the case of the late wife of the petitioner in the light of the order passed by this Hon'ble High Court in CWJC No. 15610 of 2018 (Raghvendra Sharma and Others vs. the State of Bihar and Others) and grant all monetary and consequential benefits to the petitioner, the husband of late Vimla Singh by granting the benefits of promotion in the scale of graduate trained pay and the scale of Headmaster from the due date of her entitlement, as has been given to similarly situated teachers or even junior to her in the light of the order passed by this Hon'ble High Court in CWJC No. 15610/2018 (Raghvendra Sharma and Others vs. the State of Bihar and Others).

III. For issuance of an appropriate in the nature of mandamus for commanding and directing the respondent authorities concerned to grant the benefits of 02nd ACP to late wife of the petitioner from the due date of her entitlement, as even after discharging the duties for about 24 years, she had not been given the said benefits.

IV. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to implement the direction of the



Director, Primary Education, Bihar, Patna by which, there is direction for compliance of the order passed by this Hon'ble High Court in CWJC No. 15610 of 2018 (Raghvendra Sharma and Others vs. the State of Bihar and Others) for providing the benefits of graduate trained pay scale and the scale of Headmaster as per Bihar Nationalized Elementary Teachers Promotion Rule, 1993 and also for implementation of the memo no 592 dated 10.05.2013 issued by the Director, Primary Education, Govt. of Bihar, Patna by which, there is direction that if junior teacher has been promoted, the senior teacher will also be given the same and similar benefits from the date since when the juniors have been granted the said benefits.

V. For issuance of an appropriate writ in the nature of mandamus for directing the respondent authorities concerned to provide all the benefits to the petitioner, who is husband of late Vimla Singh ie. difference of arrears of salary, differences of arrears of salary after revision in family pension and to revise the monthly pension, to which, his late wife, late Vimla Singh, was entitled under the order of the Hon'ble High Court contained in CWJC No. 15610/2018 (Raghvendra Sharma and Others vs. the State of Bihar and Others) as also the benefits of 02nd ACP for which, the late wife of the petitioner was entitled.

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

4. Learned counsel for the petitioner submits that the



issue involved in the present writ application is no longer res integra as the same has already been decided/settled in CWJC No. 15610/2018 (Raghvendra Sharma and Others vs. the State of Bihar and Others). He further submits that for seeking the aforesaid relief as claimed in the present writ application, the petitioner on behalf of his late wife is prepared to file a fresh representation before the District Education Officer, Sasaram as well as before District Programme Officer (Establishment), Sasaram. He further prays that both the authorities may be directed to dispose of the representation, which would be filed by the petitioner on behalf of his late wife, within a fixed time frame, after giving an opportunity of hearing to the petitioner. He further submits that it may be indicated in the order that the disposal of the representation by authorities may be made in light of the judgment of this Court passed in CWJC No. 15610/2018 (Raghvendra Sharma and Others vs. the State of Bihar and Others).

5. To the aforesaid submission made by learned counsel for the petitioner, 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 petitioner, this writ application



is disposed of directing the District Education Officer, Sasaram as well as the District Programme Officer (Establishment), Sasaram to dispose of the representation which would be filed by the petitioner on behalf of his late wife within four weeks from today. The representation must be disposed of within a period of six weeks from the date of receipt of the representation, after giving an opportunity of hearing to the petitioner. It is particularly observed that the representation which would be filed by the petitioner on behalf of his late wife, should be decided in light of the judgment of this Court delivered in CWJC No. 15610/2018 (Raghvendra Sharma and Others vs. the State of Bihar and Others), after giving an opportunity of hearing to the petitioner.

7. Needless to emphasize that the final order which shall be passed by the District Education Officer, Sasaram and by the District Programme Officer (Establishment), Sasaram should be a reasoned and speaking order. It is further made clear that in case the petitioner is found entitled to the relief, which the petitioner would be claiming through the representation, the same should be extended to the petitioner within a maximum period of three months from the date of passing of the final order.



8. With the aforesaid observation and direction and liberty as granted, the present writ application stands disposed of. Pending I.As, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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