

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4182 of 2026

Kamlesh Upadhyay son of Ramsagar Upadhyay, resident of Village-Hujhujipur, P.O. Tlyay, P.S. Andar, Hujhujipur, District- Siwan-841231 at present Block Teacher Middle School, Khedhay, Block- - Andar, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Siwan.
5. The Block Development Officer, Andar, District- Siwan.
6. The Block Education Officer, Andar, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Gautam Kejriwal, Adv. Mr. Alok Kumar Jha, Adv. Mr. Alok Kumar Jha, Adv.
For the Respondent/s	:	Mr. Abbas Haider, SC6

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 26-03-2026 The writ application has been filed for the following relief:-

*“1. a) For issuance of a writ or an order
or a direction in the nature of mandamus
directing the respondent no. 3 i.e. Director,
Primary Education, to expedite and dispose of
the representations submitted by the petitioner
in connection with his grievance which are
lying pending since long for no rhyme and*



reason;

b) For further issuance of an appropriate writ or an order or a direction upon the respondent no. 3 to pass a reasoned and speaking order while disposing of the representations strictly in accordance with law;

c) For further issuance of a direction upon the respondents to ensure a fair and just hearing to the petitioner adhering to the principles of natural justice by providing the petitioner with a reasonable opportunity to present his case before Director, Primary Education;

d) For further issuance of an appropriate writ or an order or direction restraining the respondents from taking any coercive or adverse action against the petitioner during the disposal of the aforesaid representation by the respondent no.3.”

2. Counsel for the petitioner submits that pursuant to the order passed by the State Appellate Authority, the petitioner is said to have filed a representation for consideration of his



case in the light of the issues having been adjudicated by this Court vide order dated 09.08.2019 passed in the case of Kishor Kumar & Ors. VS. The State of Bihar & Ors. (CWJC No. 16165 of 2019) wherein the authorities have been directed to consider the grant matric trained pay-scale with effect from the date of completion of training along with all consequential monetary benefits and despite appropriate representation having been filed before the Authority, the same is still not adjudicated.

3. It is next submitted that taking cue from the judgment rendered by the Co-ordinate Bench in the case of Kishor Kumar (supra), the State Authority has also directed the Director, Primary Education to consider the representation filed by the petitioner within a period of four weeks but, for no obvious reason, the same has not been adjudicated till date.

4. On the other hand, counsel for the State submits that since the representation of the petitioner pursuant to the order passed by the State Appellate Authority is already pending, an appropriate direction may be issued to the authority concerned for deciding the same.

5. Considering the submission of the parties, this Court directs the petitioner to file fresh representation within a period of two weeks from today referring the earlier



representation dated 06.03.2023 with all supportive documents including the order passed by this Court before the authority concerned, which shall be decided within a period of six weeks from the date of filing of the representation and necessary order, so passed, shall be communicated to the petitioner and benefits for which the petitioner is found entitled shall also be granted to him.

With the aforementioned observation and direction, the writ petition stands disposed of.

(Ajit Kumar, J)

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