

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4551 of 2026**

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Mohammad Murtuza Ansari son of Late Jalil Ansari, resident of Village -Basatpur, Police Station - Dighwara, District - Saran at Chapra. Retired while working as an Assistant Teacher from Govt. Upgraded Middle School Chattar Chapra, Anchal - Dighwara, District - Saran at Chapra.

... .. 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, Saran Division, Chapra.
5. The District Education Officer, Saran at Chapra.
6. The District Education Officer -cum- the Chairman of District Teachers Promotion Committee, Saran at Chapra.
7. The District Programme Officer (Establishment), Saran at Chapra.
8. The District Programme Officer (Establishment)-cum-the Member Secretary of District Teachers Promotion Committee, Saran at Chapra.
9. The District Accounts Officer, Saran at Chapra.
10. The District Treasury Officer, Saran at Chapra.
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

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**Appearance :**

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| For the Petitioner/s | : | Mr. Umesh Kumar Mishra, Adv.     |
| For the State        | : | Mr. Advocate General             |
| For the AG           | : | Mrs. Nivedita Nirvikar, Sr. Adv. |

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      02-04-2026                      Learned counsel for the petitioner and learned counsel  
for the State are present.



2. Learned counsel for the petitioner has filed this writ petition seeking direction upon the respondent-authority to shift the date of promotion in graduate trained pay-scale (Science/Arts) and in the scale of Headmaster from the due date of their entitlement i.e. promotion in the scale of graduate trained pay (Science/Arts) after completion of 8 years in matric trained pay scale and thereafter in the scale of Headmaster after completion of 5 years of service in graduate trained pay-scale (Science/Arts), as per the Bihar Nationalized Elementary Teacher Promotion Rules, 1993.

3. Learned counsel for the petitioner next submits that the issue with regard to the grant of promotion in graduate trained pay-scale has already been settled in ***C.W.J.C. No.15610 of 2018, Raghavendra Sharma and Others v. The State of Bihar and Others*** and the Director of Primary Education has already issued a letter dated 27.02.2023 directing all the Bihar Education Office and District Education Programme Officer to comply the direction issued in the aforesaid case and the said letter dated 27.02.2023 is appended in the writ petition as Annexure-6.

4. On the other hand, learned counsel for the State submits that the case may be directed to be considered strictly in



terms of the ratio laid down in *Raghavendra Sharma (supra)* and necessary order be passed in accordance with law.

5. Since, the issues have already been crystallized in the aforementioned case and, consequently, the letter has also been issued by the Directorate of Primary Education vide letter dated 27.02.2023, the petitioner's representation is required to be considered by the respondents concerned, addressing their grievances, taking into account the judgment rendered in the regard referred above.

6. Considering the submission of the learned counsel for the State that the petitioner should be directed to file representation appending all documents which are necessary for adjudication of the relief sought in the writ petition, the petitioner is directed to file a representation before the District Education Officer -cum- the Chairman of District Teachers Promotion Committee, Saran at Chapra (respondent no.6) within a period of four weeks from today, appending all supportive materials / documents including the judgments which is being relied on by the petitioner seeking same and similar relief and, on submission of such representation, within further eight weeks, the grievances shall be adjudicated and necessary orders shall be passed in this regard and the consequential



benefits, which accrues to the petitioner, the same shall be extended to the petitioner within a period of four weeks thereafter.

7. Accordingly, the writ application stands disposed of.

(Ajit Kumar, J)

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