

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5056 of 2026

Binod Kumar Chaudhary son of Late Ramchandra Chaudhary, Resident of Village -Ward No. 06, Nayaka Tola, Post Office Sugauli, Police Station Sugauli, District East Champaran at Motihari. At present posted and working as an Assistant Teacher in Govt. Middle School Chainpur, Anchal Sugauli, District - East Champaran at Motihari.

... .. 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, Govt. of Bihar, Patna.
3. The Additional Chief Secretary -cum-the Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
6. The District Education Officer, East Champaran, at Motihari.
7. The District Programme Officer (Establishment), East Champaran, at Motihari.
8. The District Accounts Officer, East Champaran, at Motihari.
9. The District Treasury Officer, East Champaran, at Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra, Adv.
For the State : Mr.Ramadhar Singh, G.P-25

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 20-04-2026 Heard learned counsel for the petitioner and learned counsel appearing 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 petitioner has prayed for the grant of following reliefs:

“I. Whether the Petitioners', who have passed their "In-Service Teachers Training Examination" in the 2nd Attempt, deserves to be



granted Matric Trained Scale of Pay 'Notionally' w.e.f. 01.10.2003, i.e., in such a manner that their Seniority is not adversely affected.

II. Whether the actions of the authorities concerned in not protecting the seniority of the petitioner and other similarly situated persons, are violative of Article 14, 16, and 21 of the constitution of India, thus fit to be deprecated in strong words, by this Hon'ble Court?

III. Whether, the action of the respondent authorities is not malafide, arbitrary, without jurisdiction and abuse of power vested in them?

IV. Whether, the action of the respondent authorities is otherwise bad in the eye of law?"

4. After advancing some argument, learned counsel for the petitioner submits that for seeking the aforesaid reliefs, the petitioner is prepared to file a fresh representation before the District Education Officer, East Champaran at Motihari and District Programme Officer, (Estbalishment), East Champaran at Motihari and prays that an appropriate direction be issued to the District Education Officer, East Champaran at Motihari and District Programme Officer, (Estbalishment), East Champaran at Motihari to dispose of the fresh representation within a fixed time frame, after giving an opportunity of hearing to the petitioner.

5. To the aforesaid submission being made by learned counsel for the petitioner, learned counsel appearing for the 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 granting liberty to the petitioner to file a fresh representation before the District Education Officer, East Champaran at Motihari and District Programme Officer, (Estbalishment), East Champaran at Motihari within one month from today and if such a representation is filed by the petitioner, the same shall be disposed of within a period of three months from the date of receipt of the representation, after giving an opportunity of hearing to the petitioner.

7. Needless to emphasize that the final order which shall be passed by the authorities should be a reasoned and speaking order. It is also made clear that in case, the petitioner is found entitled to the relief which the petitioner would be claiming through the fresh representation, the same should be extended to the petitioner within a further period of three months from the date of passing of the final order.

8. 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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