

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6068 of 2026

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Bina Kumari Wife of - Kumod Singh, Resident at - Saidpur, Police Station -
Gopalpur, District- Bhagalpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Addl. Chief Secretary, Department of Education,
Govt. of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Accountant General of Bihar, Patna.
4. The Regional Deputy Director, Education, Bhagalpur.
5. The District Education Officer, Bhagalpur.
6. The District Program Officer (Establishment) Bhagalpur.
7. The District Accounts Officer, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Siya Ram Shahi, Adv. Mr. Rakesh Kumar, Adv.
For the Respondent/s	:	Mr. Rajeshwar Singh, GA-10 Mr. Jitendra Kumar, AC to GA-10
For Accountant General	:	Mrs. Nivedita Nirvikar, Sr. Adv. Mr. Amar Shakti, Adv.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned
counsel appearing for the respondents-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) For issuance of an
appropriate writ commanding th
Respondents for grant of matric
trained Pay Scale after three year
from the date of her appointment or*



from 01.10.2003 whichever is later in the light of Order dated 11.04.2018 in CWJC No. 7322/2017 and order dated 31.07.2018 passed in CWJC No. 13734/2019.

(ii) For issuance of an appropriate writ commanding the Respondents to grant the benefit of 2nd ACP and grant of other financial benefit along with its arrears and all consequential monetary benefit in accordance with law.

(iii) For issuance of any other relief/reliefs for which the petitioner is entitled under law as well as under facts.”

4. This is second round of litigation.

5. Learned counsel for the petitioner submits that for seeking the same relief the petitioner had earlier filed a writ application bearing CWJC No.8128 of 2020 and in the said writ application along with analogous cases order was passed on 16.11.2021 (Annexure-P/4) by which the petitioner was asked to file a representation within a period of two weeks before the concerned District Education Officer and the District Education Officer was obliged to consider the claim of the petitioner in accordance with law and dispose of the same by passing a reasoned and speaking order within a period of three months from the date of receipt of the representation, after hearing the petitioner.

6. Learned counsel for the petitioner submits that in



compliance of the order dated 16.11.2021 passed in CWJC No.8128 of 2020, the petitioner could not file the representation within two weeks due to Covid, but ultimately the petitioner filed representation before the District Education Officer, Bhagalpur on 07.01.2022 (Annexure-P/5), but the said representation continues to be pending and no final decision has been taken by the District Education Officer, Bhagalpur. He, therefore, submits that the petitioner would be satisfied even appropriate direction could be issued to the District Education Officer, Bhagalpur to dispose of the pending representation of the petitioner within a fixed time frame, after giving an opportunity of hearing to the petitioner.

7. Learned counsel appearing for the respondents-State does not have objection to the submissions made by learned counsel for the petitioner.

8. Considering the limited nature of prayer made by learned counsel for the petitioner, the District Education Officer, Bhagalpur is directed to dispose of the pending representation of the petitioner dated 07.01.2022 (Annexure-P/5) within one month from the date of receipt/production of a copy of this order by the petitioner, after giving an opportunity of hearing to the petitioner. The final order which shall be passed by the



District Education Officer, Bhagalpur 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 has claimed through the representation, the same should be extended to the petitioner within a further period of one month from the date of passing final order.

With the aforesaid observation and direction, 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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