

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5436 of 2026

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Kailash Chandra Jha S/o- Baldev Jha, R/o- Ward 27, Navtol, Jhanjharpur,
Dist.- Madhubani, Bihar- 847403.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Department of Primary Education, Government of Bihar, Patna.
3. The District Magistrate, Madhubani.
4. The District Education Officer, Madhubani.
5. The District Programme Officer (Establishment), Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Thakur, Adv.

For the Respondent/s : Ms. Vagisha Pragya Vakaknavi, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 14-07-2026 Heard the learned Advocate for the respective parties.

2. The petitioner has invoked the jurisdiction of this

Court seeking following reliefs:-

"i) For direction to the respondent authorities to consider the past service of the petitioner as per Lettr issued by the Education Department, Government of Bihar, Patna vide Letter No. 4207 dated 22.11.2025.

ii) To hold that the petitioner as a Assistant Teacher and grant Pay scale and grade pay as per Assistant Teacher of State Government employee.

iii) For direction to the respondent Authorities to grant the time bond promotion to the petitioner in the light of Letter no. 4207, dated 22.11.2025 issued by the Education Department, Government of Bihar, Patna.

iv) To grant all service benefit for which petitioner is entitled for.



v) For any other relief(s) to which the petitioner may be found entitled."

3. The materials available on record admitting the position, that the petitioner was initially appointed as Shiksha Mitra on 03.03.2003 in Lakhnaur Block, Madhubani and his services were later adjusted as Block Teacher after coming into force of Bihar Panchayat Gramin Teachers Appointment and Service Condition Rule 2006 with effect from 01.07.2006. Upon completion of the requisite two year training and DPE course, the petitioner also qualified the competency test conducted by the Education Department and further passed the competency test conducted by the Bihar School Examination Board in 2024; consequent thereupon, the petitioner was appointed as Exclusive Teacher with effect from 01.01.2025.

4. The respondent no. 5 categorically stated in its counter affidavit that the Education Department, Government of Bihar has taken a decision vide Memo No. 07/Pro-03-08/2025-4207 dated 22.11.2025 for counting the past service rendered as trained teacher under local body (Niyojit Shikshak) for the purpose of promotion and service benefits of Exclusive teacher. Further it has also been clarified vide Letter No. 714 dated 12.02.2026 that past service shall only be considered for promotion to higher classes / headship and for *inter-se* seniority.



5. This Court is also apprised with the petitioner's representation, which is said to have been filed for counting of past services, grant of time bound permission and other admissible benefits is under consideration and necessary order shall be passed in accordance with the aforesaid departmental guidelines contained in the letter referred hereinabove.

6. Having considered the limited grievance of the petitioner, besides the specific averments in the counter affidavit, this Court deems it fit and proper to dispose off the writ petition with a direction to the respondent no. 5 to consider the claim of the petitioner and bring it to its logical conclusion, preferably within a period of eight weeks, from the date of receipt/production of a copy of this order, especially in the light of the letters mentioned hereinabove, in accordance with law.

7. Suffice it to observe that if the claim of the petitioner finds favour, necessary consequential order shall be passed, within the stipulated period.

8. With the aforesaid direction, the writ petition stands disposed off.

(Harish Kumar, J)

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