

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7030 of 2026

1. Aditya Kumar Choudhary Son of Late Chaturbhuj Choudhary, Resident of Lohiya Nagar Barmasia, Police Station- Katihar, District- Katihar.
2. Md. Eqbal Hussain, Son of Hakimuddin, Resident of At and P.O- Dhum Nagar, Via- Salmari, P.S. and District- Katihar.
3. Birendra Kumar Choudhary, Son of Kameshwar Choudhary, Resident of Durga Asthan, Professor Colony, Police Station- Katihar, District- Katihar.
4. Benoy Ranjan Bhowmick, Son of Jyotish Chandra Bhowmic, Resident of Viveka Nand Nagar, Dharmganj Kela Began, Ward No. 11, Police Station and District Kishanganj.
5. Ramdhan Mandal, Son of Late Jagdish Mandal, Resident of Village- Chama, P.O.- Chowk Chama, Police Station- Amdabad, District- Katihar.
6. Subodh Prasad, Son of Shiv Govind Prasad, Resident of Bawanganj, PO- Binji, Via- Semapur, P.S. and District- Katihar.
7. Dinesh Dubey, Son of Shiva Yagya Dubey, Resident of Mahadeopur, P.O- Mahadeopur, P.S.- Katihar, District- Katihar.
8. Shobha Kumari, Wife of Permanand Das, Resident of Shastri Nagar, P.O- Sonaili, P.S.- Katihar, District- Katihar.
9. Pushpalata Rani, Wife of Shrikant Mandal, Resident of Barmasia, P.O and P.S- Katihar, District- Katihar.
10. Md. Mushtaque Ahmed, Son of Md. Shahabuddin, Resident of Village- Dhum Nagar, P.S.- Katihar, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Purnia Division, Purnia.
4. The District Education Officer, Katihar.
5. The District Programme Officer (Establishment), Katihar.
6. The District Treasury Officer, Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Respondent/s : Mr.Government Pleader (27)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 11-05-2026 Learned counsel for the petitioners and learned



counsel for the State are present.

2. Learned counsel for the petitioners has filed this writ petition seeking direction upon the respondent-authority to shift the date of promotion granted 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. And also grant the benefits of MACP upon completion of 10 years in the pay scale of Headmaster for which the petitioners are legally entitled to as held by this Court in CWJC No.15610 of 2018 (Raghavendra Sharma & Ors. Vs. the State of Bihar & Ors) and CWJC No.15843 of 2025 disposed of on 23.09.2025 and case of the petitioners are fully covered by the decision rendered by this Court in above said similar cases, and such the petitioners are fully entitled to get the promotional benefits strictly in terms of Promotion Rule 1993 with all consequential benefits strictly in terms of Promotion Rule 1993 with all consequential benefits.

3. Learned counsel for the petitioners 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.

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 they should be directed to file individual representation appending all documents which are necessary for



adjudication of the relief sought in the writ petition, the petitioners are directed to file a representation within a period of four weeks from today appending all supportive materials / documents including the judgments which is being relied on by the petitioners 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 petitioners, the same shall be extended to the petitioners within a period of four weeks thereafter.

7. Accordingly, the writ application stands disposed off.

(Ajit Kumar, J)

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