

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5448 of 2026

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Kamlesh Kumar Son of Togan Singh, Resident of Mohalla - Bhikhachak, P.O. - Anisabad, P.S. Gardanibag, District- Patna and presently working as an Assistant teacher in Kanya Middle School, Amlatola, Gardanibag, Patna.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rama Kant Singh
For the Respondent/s : Mr.Government Pleader (03)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 18-04-2026 Learned counsel for the petitioner and learned counsel for the State are present.

2. The instant writ application has been filed for the following directions:-

(i) For directing the respondent authorities to give promotion to the petitioner from the post of matric trained scale to graduate trained scale as well as on the post of Headmaster according to the Rules & regulations of the promotion of the State of Bihar with retrospective effect.

(ii) For issuance of any other writ/writs, order/orders, direction/directions for which the petitioners will be entitled in the facts and circumstances of the present case.



3. Learned counsel for the petitioner 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 Officers 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-7.

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 may be directed to be passed in accordance with law, if the case of these petitioners are similarly situated and are equally placed.

5. It is further submitted that 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 his grievance, taking into account the



judgment rendered in the regard referred above, for which appropriate direction may be issued.

6. Considering the submission of the parties, this Court finds it appropriate to direct the petitioner to file representation for consideration of his grievance.

7. Accordingly, the petitioner is directed to file detailed representation for adjudication of the relief sought in the writ petition within a period of four weeks from today, appending all supporting materials/documents along with the judgment relied upon by him for seeking the same or similar relief. Upon submission of such representation, the grievances shall be adjudicated and necessary orders shall be passed within a period of eight weeks from the date of receipt of the representations. The consequential benefits, if any, accruing to the petitioner shall thereafter be extended to him within a further period of four weeks.

8. Accordingly, the writ application stands disposed of.

(Ajit Kumar, J)

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