

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6949 of 2026

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1. Shambhu Sharan Prasad Son of Late Baliram Bhakta, Resident of Village-Tal Sehan, Police Station-Katahara, District- Vaishali. At present working as Assistant Teacher, U.M.S Shahpur Bujurg, Patepur, Vaishali.
 2. Dinesh Ram Son of Late Madan Mohan Ram. Resident of Village Tal Shehan Police Station-Katahara, District- Vaishali. At present working as Assistant Teacher in U.M.S Tal Sehan, Chehara Kalan, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Vaishali at Hazipur.
4. The District Programme Officer (Establishment), Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Respondent/s : Mr. Mujtabaul Haque, Government Pleader (12)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioners and

learned counsel for the State.

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

(i) For directing the respondent authorities to consider the grievance of the petitioners and grant the matric trained pay scale to him after completion of three years of regular service from the date of appointment or from 01/10/2003 whichever is later with all consequential benefits for which they are legally entitled to as the respondents have not send the petitioners for in-service teachers training within two years of appointment in terms of Government Circular and



due to laches on the part of the respondents, the petitioner should not be compelled to suffer as held by this Hon'ble Court in CWJC No.7322 of 2017 disposed of on 11.04.2018 and CWJC No.14553 of 2023 disposed of on 20.04.2024. And case of the petitioners is identical and fully covered by order dated 11.04.2018 passed in CWJC No.7322 of 2017 affirmed by the Division Bench.

(ii) For any other relief to which the petitioner is found entitled in the facts and circumstances of the case.

3. Learned counsel for the petitioners submits that the case of the petitioners is duly covered by the judgment passed by a coordinate Bench of this Court in **Abdus Samad v. The State of Bihar & Ors. in CWJC No.7322 of 2017 dated 11.0.2018**. He further submits that the other cases of similarly situated teachers have been decided in terms of the Abdus Samad (supra) case by this Court in CWJC No.5092 of 2020.

4. It has next been submitted that the petitioners have filed the present writ petition for a direction to the respondents to grant matric trained scale to the petitioners from the date of completion of three years of their initial appointment on the post of Assistant Teacher.

5. At this stage, learned counsel for the State submits that in terms of Abdus Samad (supra), the petitioners may be directed to file a representation before the District Programme



Officer (Establishment), Vaishali.

6. Having heard learned counsel for the parties and taking into consideration the submissions, the writ application is disposed of with liberty to the petitioners to approach the respondent no.4/ The District Programme Officer (Establishment), Vaishali by filing a representation within a period of four weeks, which shall be decided by respondent no.4 within a period of four months from the date of receipt of the representation.

7. If it is found that the case of the petitioners is covered by the Abdus Samad (supra), then similar benefits shall be extended to the petitioners.

8. With the aforesaid observations and directions, the writ application stands disposed of.

(Ajit Kumar, J)

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