

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7104 of 2025

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1. Ramlakhan Prasad Yadav so of Late Raghunath Rai, Resident of village-Methwalia, P.O. Chanchaura, P.S. Chapra Muffasil, District - Saran at Chapra-841414
 2. Om Prakash Narayan, son of Late Vishundev Prasad, Resident o f village-Dhobawalia, P.O.- Udant Rai ke Bangra, P.S. Manjhagarh, District-Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Directorate of Secondary Education, Department of Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Saran Division, Chapra.
4. The District Education Officer, Saran at Chapra.
5. The District Education Officer, Gopalganj.
6. The District Education Officer, Siwan.
7. The District Programme Officer (Establishment), Saran at Chapra.
8. The District Programme Officer (Establishment), Gopalganj.
9. The District Programme Officer (Establishment), Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jeetendra Narayan, Advocate
For the State	:	Mr. Ajay Behari Sinha (GA-8)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-04-2026 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ petition has been filed for issuance
of appropriate writ(s), order(s), direction(s) to the respondents
for the following relief/s:-

*“I. For issuance of an appropriate writ(s),
order(s), direction(s) to the respondents for
fix/grant of pay scale of Rs. 4000-100-6000/-*



to the petitioners w.e.f. their date of appointment and its consequential benefits, who are working as a Clerk in the office of District Education Officer, Siwan, Department of Education in view of Hon'ble Court order dated 28.11.2023 passed in a case of CWJC No. 24678 of 2019 (Kumar Shivaji & others Vs. The State of Bihar and others) with analogous cases and also in view of Division Bench verdicts of this Hon'ble Court passed in L.P.A. No. 167 of 2016 (Avinash Kumar Chakerwarty Vrs. The State of Bihar and others) as well as the Memo No. 191 / Chapra dated 21.02.2025 issued by the Regional Deputy Director, Education, Saran Division, Chapra. And also in preview of Clause 4.C (1) of the Bihar State Litigation Policy, 2011.

II. And for any other relief/reliefs for which the petitioners are found to be entitled in the facts and circumstances of the case, in the light of safeguard provided by the Constitution of India.”

3. Learned counsel for the petitioners fairly submits that the issue involved in the present writ petition has already been decided by the Hon'ble Full Bench of this Court *vide* order dated 27.08.2025 in C.W.J.C. No. 23831 of 2018 (**Ravi Shankar Kumar Vs. The State of Bihar, through the Chief**



Secretary & Ors) with other analogous cases, in which a cut off date was fixed as 20.12.2000. He submits that, although according to the decision of the Hon'ble Full Bench the petitioners are not presently entitled to the relief, but similar matters are pending before the Hon'ble Supreme Court, and there is every likelihood that, upon decision of those cases, the petitioners may become entitled to the said relief.

4. This Court hereby restrain itself from passing any order, so that this case be kept pending and decide this case in the light of the decision of Hon'ble Full Bench in C.W.J.C. No. 23831 of 2018 that petitioners are not entitled for any relief, which they are demanded.

5. This writ petition stands dismissed with liberty to the petitioners that if, the same issue decided by the Hon'ble Supreme Court, then the petitioners by way of filing an application shall revive this writ petition.

(Dr. Anshuman, J)

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