

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7835 of 2026

1. Ram Babu Sah S/o Beni Sah, Residence of village- Turkauliya, P.O.- Karshiya, P.S.-Dhaka, District- East-Champaran at Motihari.
2. Shital Kishor, S/o Deoki Nandan Prasad, Residence of village-Bakhari Khajuri, P.O.-Barharwa Fateh MD, P.S.-Kundwa Chainpur, District- East-Champaran at Motihari.
3. Imteyaz Ahmad, S/o Aqueel Ahmad, Residence of village Khairina, P.O and P.S.-Dhaka, District- East-Champaran at Motihari.
4. Md. Aftab Alam, S/o Abdul Jabbar, Residence of village Raxa Rahimpur, PS Dhaka, District East Champaran at Motihari.
5. Md. Jawed Anwar, S/o Md. Qumrul Haque, Residence of village-Khairwa, P.O and P.S.-Dhaka, District- East Champaran at Motihari.
6. Birendra Kumar, S/o Kapil Deo Rai, Residence of village- Hardiya, P.O.- Gavandari, P.S.-Kundwa Chainpur, District-East-Champaran at Motihari.
7. Dharmendra Kumar Jha, S/o Gauri Kant Jha, Residence of village- and P.O.- Bhandar, P.S.-Dhaka, District- East Champaran at Motihari.
8. Rajesh Kumar Singh, S/o Bankeshwar Singh, Residence of village- Chandrahiya, P.O.-Dalpat Bishunpur, P.S.-Dhaka, District- East-Champaran at Motihari.
9. Sewak Das, S/o Late Ram Kishun Das, Residence of village- Siswa Mangal, P.O.-Dalpat Bishunpur, P.S.-Dhaka, District- East-Champaran at Motihari.
10. Sanjay Ram, S/o Bhikham Das, Residence of village- Narkatiya, P.O.- Barharwa Siwan, P.S.-Dhaka, District- East-Champaran at Motihari.
11. Harish Chandra Baitha, S/o Bunni Baitha, Residence of village and P.O.- Pachpakri, P.S.-Dhaka, District- East Champaran at Motihari.
12. Raushan Kumar, S/o Siya Ram Sah, Residence of village and PO.- Bhandar, P.S.-Dhaka, District- East-Champaran at Motihari.
13. Kaimuddin Ansari, S/o Alauddin, Residence of village- Kharihaniya, P.O.- Padumker, P.S.-Dhaka, District- East-Champaran at Motihari.
14. Ram Bishwash Prasad, S/o Jai Mangal Rai, Residence of village-Hardiya, P.O.-Gavandri, P.S.-Kundwa Chainpur, District- East-Champaran at Motihari.
15. Rai Mangal Sah, S/o Devki Sah, Residence of village- Virta Tola, PO-Gurhanawa, P.S.-Kundwa Chainpur, District-East-Champaran at Motihari.
16. Sandip Kumar, S/o Raghav Pandey, Residence of village- Hirapur, P.O.- Gurhanawa, P.S.-Kundwa Chainpur, District- East-Champaran at Motihari.
17. Badarul Islam, S/o Shaphi Ahmad, Residence of village- Dostiya, P.O.- Gurhenwa, P.S.-Kundwa Chainpur, District- East-Champaran at Motihari.
18. Bigan Ram, S/o Ram Deo Ram, Residence of village- Basahiya, PO.- Bhandar, P.S.-Dhaka, District- East-Champaran at Motihari.
19. Md. Zahiyyullah, S/o Md. Anwarul Haque, Residence of village-Murali, P.O.- Pachpakri, P.S.-Dhaka, District-East-Champaran at Motihari.



20. Md. Shahbez Alam, S/o Md. Jahruddin Ansari, Residence of village-Sishani, P.O.-Barharwa, P.S.-Kundwa Chainpur, District- East-Champaran at Motihari.
21. Nilesh Kumar Jayshwal, S/o Dina Nath Prasad, Residence of village-Malkauniya, P.O.-Pachpakari, P.S.-Dhaka, District- East-Champaran at Motihari.
22. Dilip Kumar, S/o Asharphi Prasad, Residence of Village Barharwa, PO Barharwa, PS Kundwa Chainpur, District East Champaran at Motihari.
23. Satya Narayan Prasad, S/o Bindeshwari Prasad, Residence of village-Kharuhi, P.O. and P.S.-Kundwa Chainpur, District- East-Champaran at Motihari.
24. Akhtar Ali Ansari, S/o Nathu Ansari, Residence of village-Mahuawa, P.O.-Phulwariya, P.S.-Dhaka, District- East-Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director of Primary Education, Govt. of Bihar, Patna.
3. The District Magistrate, East-Champaran at Motihari.
4. The District Education officer, East-Champaran at Motihari.
5. The District programme officer (Establishment), East-Champaran at Motihari.
6. The vice Chancellor of Indira Gandhi National Open University, Maidan Garhi, New Delhi.
7. The controller of Examination, Indira Gandhi National Open University, Maidan Garhi, New Delhi.
8. The Regional Central, Indira Gandhi National Open University, Dariyapur, P.S and Block Chakiya, District-East Champaran at Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shyama Kant Singh
For the Respondent/s : Mr.Government Advocate (3)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-06-2026 The instant writ petition has been filed for the following relief:

(i) For directing the respondent to treat the petitioners as passed/ completed his teacher training



in the year 2010. On 16.08.2010 and publication of result on 03.02.2012 instead publication of result dated on 14.02.2011 and also to treat the petitioners as trained teacher and to grant scale of trained teacher from date 16.08.2010 as granting in the case of other candidates who have completed their teacher training with the petitioners in same session i.e. 2008-10.

(ii) For directing the respondents to consider the case of the petitioners that they passed teacher training course in the year 2010 dated 16.08.2010 itself, as the petitioners has given final examination in the year 2010 itself, and the result has published in the year 03.02.2010 as successfully passed candidates session 2008-2010, but the result of the petitioners has published on 03.02.2012 in place of 14.02.2011 without any reason, as in other candidates case the result has published on 16.08.2010 and for such fault of respondent no.6 and 7 the petitioners could not be debarred from getting seniority merit list.

(iii) For directing the respondents to grant all consequential benefits to the petitioners.

(iv) For directing the respondents particularly respondent no.2 Director Primary Education, Government of Bihar, Patna and District Programme Officer (Establishment) Motihari, East Champaran, respectively to grant the petitioners benefit of grade pay and the difference of arrear on account there of at least with effect from the date from which they successfully completed in the year 2010 is not from



2012. They are entitled to trained scale from the date of completion of their training and much belated publication of result should not be the basis for determination of date with effect from which they should be held to be entitled to trained scale.

(v) For directing the District Programme Officer (Establishment) East Champaran at Motihari to grant the benefit of grained scale/ grade pay strictly in terms of the judgment and order dated 09.08.2019 passed by the Hon'ble Court in CWJC No.16165 of 2019.

2. Counsel for the petitioners submits that the petitioners have completed their in-service teachers training course for the Sessions 2000-2001 and the final examination of the said Sessions were conducted in the year 2004 due to laches on the part of the respondent State authorities and there was no lapses on the part of the petitioners and, therefore, they are entitled to grant of such benefits of grade pay of trained teachers in the light of the judgment rendered by the Co-ordinate Bench of this Court in the case of **Kishor Kumar and others Vs. The State of Bihar & Ors. (CWJC No. 16165 of 2019)** from the date of completion of their in-service teachers training courses.

3. It is next submitted that the issues have already been put at rest relying upon the judgment passed by the Co-ordinate Bench rendered in the case of Kishor Kumar (supra), a



detailed order has been passed in the case of Manoj Kumar & Ors. Vs. State of Bihar & Ors. (CWJC No. 7938 of 2020), which squarely covers the case of these petitioners.

4. It is next submitted that against the order passed by the Co-ordinate Bench, the State authorities have preferred appeal before the Hon'ble Division Bench by filing LPA No. 456 of 2021 (The State of Bihar & Ors. Vs. Manoj Kumar & Ors.) and the Hon'ble Division Bench has affirmed the order passed by the Co-ordinate Bench of this Court, which is being reproduced herein below:-

*“-----5. It is to be noted that appellants-State have not preferred LPA in **Kishor Kumar and Others** (supra) case. On the other hand, they have not taken note of specific words in the **Kishor Kumar and Others** (supra) to the following extent:-*

"The respondents have to take decision granting benefit of trained scale to the petitioners with effect from the date of completion of their training i.e., May, 2017. Necessary decision in this regard with all consequential monetary benefits must be taken by the Director, Secondary Education within a period of sixty days from date of receipt/production of a copy of this order".

Underline Supplied

6. In this backdrop, appellants cannot take decision of notional benefits when the order is very



specific to the extent that necessary decision in this regard with all consequential monetary benefits must be taken by the Director. The same decision has been passed in number of cases including the present case. The appellants have taken their own time to publish the result with reference to completion of training course in the month of May, 2017. For no fault on the part of the respondents, denial of certain service and monetary benefits on behalf of the appellants would be arbitrary, therefore, the appellants have not made out a case so as to interfere with the impugned order of the learned Single dated 01.02.2021 passed in passed in CWJC No. 7938 of 2020.”

5. Lastly, it is submitted that against the order passed by the Hon’ble Division Bench in LPA No. 456 of 2021 in the case of Manoj Kumar (supra), the State authorities have moved before the Hon’ble Apex Court by filing Special Leave Petition (Civil) Diary No(s) 66035 of 2025 and the Hon’ble Apex Court has also declined to interfere with the impugned order. Accordingly, the Special Leave Petition preferred by the State got dismissed.

6. On the other hand, counsel for the State submits that since the issues have already been adjudicated and put at rest, therefore, all the petitioners may be directed to file individual representation, giving their service profile with all



supportive materials before the concerned District Education Officer, within a period of six weeks from today and, on filing of such representation with all supportive materials and the judgments referred herein above, it is expected that the concerned District Education Officer shall consider the grievances of the petitioners and on finding their claim to be justified in law and as also in consonance with the parameters fixed by the Hon'ble Courts in the judgment rendered in the case of Manoj Kumar (supra), necessary order shall be passed within a further period of eight weeks and if the petitioners are found entitled to such benefits, the same shall also be extended to them within the same period, as stated above.

7. With the aforementioned observations and directions, the writ petition stands disposed of.

(Ajit Kumar, J)

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