

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13779 of 2025

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Laddu Rajak @ Ladoo Rajak Son of Late Mahavir Rajak @ Mhavir Rajak,
Resident of Vidyadhar, Ward No. 06, P.O. and P.S.- Khagaria, District-
Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
2. The Director Primary Education, Government of Bihar, New Secretariat, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Old Secretariat, Patna.
4. The District Magistrate, Khagaria.
5. The District Education Officer, Khagaria.
6. The District Programme Officer (Establishment) Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Sweta Raj, Adv
For the Respondent/s : Mr. Government Pleader (4)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 15-06-2026 Heard learned counsel for the petitioner and learned
counsel for the respondent-State.

2. With the consent of both the parties, this writ
application is being disposed of at this stage itself.

3. In the present writ application, the petitioner has
prayed for the grant of following reliefs:

*“(i) For issuance of an
appropriate writ in the nature of
mandamus commanding and directing
the respondents authorities for*



fixation of salary of the petitioner in the trained graduate pay scale in view of the provision contained in Rule 22(1)(A), 7(i) (ii) (iii) and (iv) of the fundaments rules which inter alia provides that for the purpose of pay fixation on promotion, the salary payable on the date of promotion would be fixed and thereafter pay fixation would be done after giving benefits of one additional-1 increment of the existing pay scale and to pay arrears of salary of the petitioner after aforesaid fixation from the date when has been granted trained graduate pay scale by the respondent authorities.

(ii) To further direct the respondent authorities as per promotion rule 2011 (Rule 8) to grant promotion in the graduate trained scale as well as on the post of headmaster to the petitioner and their consequential benefits since 2003.

(iii) For issuance of any other appropriate writ(s) order(s) direction(s) for which the writ petitioner would be found entitled under the facts and circumstances of the case.



(iv) And/or any other appropriate reliefs to the petitioner for which payable may found entitle under the fact and circumstances of the case.”

4. After advancing some argument, learned counsel for the petitioner submits that for seeking the aforesaid reliefs, the petitioner is prepared to file a fresh representation before the District Education Officer, Khagaria. He further prays that an appropriate direction be issued to the District Education Officer, Khagaria to dispose of the representation which would be filed by the petitioner within a fixed time frame, after giving an opportunity of hearing to the petitioner.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsel appearing for respondent-State does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to file a fresh representation before the respondent no. 5 i.e. the District Education Officer, Khagaria within one month from today. If such a representation is filed within the stipulated time then the District Education Officer, Khagaria is directed to dispose of the



same within a period of three months from the date of receipt of the representation, after giving an opportunity of hearing to the petitioner. Needless to emphasize that the final order which shall be passed by the District Education Officer, Khagaria should be a reasoned and speaking order. In case, the petitioner is found entitled to the relief, which the petitioner would be claiming through the representation, the same should be extended to the petitioner within a further period of three months from the date of passing of the final order by the District Education Officer, Khagaria.

7. With the aforesaid observation/direction and liberty granted, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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