

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15325 of 2025

=====

Bhola Kumar Singh Son of Late Ramashish Singh, Resident of Village-Bande Bishanpur, Ward No. 04, Police Station-Tajpur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Education Officer, Samastipur.
4. The District Programme Officer (Establishment), Samastipur.
5. The Block Education Officer, Morwa, District-Samastipur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Surya Kant Mishra
For the Respondent/s : Mr.Government Pleader (20)

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 31-03-2026 Heard the learned counsel for the petitioner and

the learned counsel appearing for the respondent-State.

2. With the consent of the parties, this writ application

is being disposed of at this stage itself.

3. The petitioner, in the present writ application, has

prayed for the grant of following reliefs:-

*“That this writ application is being filed in
the nature of Mandamus for directing to
respondent no.2 the Director, Primary
Education, Education Department,
Government of Bihar, Patna to consider the
claim of the petitioner for getting regular*



pay scale on regular post of Assistant Teacher from the initial date of appointment on compassionate ground in the light of squarely covered Judgement reported in (2021) 20 SCC-707 for which the representation dated 02.04.2025, which is still pending for consideration.

(ii) This writ application is also being filed for directing the respondents to pay the arrears of salary since the date of initial appointment on the post of Block Teacher Treating the appointment of the petitioner as regular Teacher at Pay -Scale 9300-34800/- Grade pay 4200/-.

(iii) This writ application is also being filed for directing the respondents to pay the differential salary since the date of initial appointment of the petitioner compassionate ground in accordance with regular pay scale.

(iv) This writ application is also being filed for issuance of a direction to the respondent no.2 to dispose of the representation of the petitioner dated 02.04.2025 by way of reasoned and speaking order in the light of covered judgement reported in (2021) 20 SCC-707.”



4. After advancing some argument, the learned counsel for the petitioner submits that for seeking the aforesaid relief(s), the petitioner has already filed a representation dated 02.04.2025 (Annexure-P/3) before the Director, Primary Education, Education Department, Govt. of Bihar, Patna and the same continues to be pending. He, therefore, submits that an appropriate direction be issued to the Director, Primary Education, Education Department, Govt. of Bihar, Patna to dispose of the pending representation of the petitioner within a fixed time-frame, after giving an opportunity of hearing to the petitioner.

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

6. Considering the limited nature of prayer made by the learned counsel for the petitioner, this writ application is disposed of, directing the Director, Primary Education, Education Department, Govt. of Bihar, Patna to dispose of the pending representation dated 02.04.2025 (Annexure-P/3) within three months from the date of receipt/production of a copy of this order by the petitioner, after giving an opportunity of hearing to the petitioner.



7. Needless to emphasize that the order, which shall be passed by the Director, Primary Education, Education Department, Govt. of Bihar, Patna should be a reasoned and speaking order and in case the petitioner is found entitled to the relief(s), which the petitioner has claimed through the pending representation, the same shall be extended to the petitioner within a further period of three months from the date of passing of the order by the Director, Primary Education, Education Department, Govt. of Bihar, Patna.

8. With the aforesaid observation/direction, the present writ application stands disposed of.

9. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

HR/-

U			
---	--	--	--

