

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17678 of 2023

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Nand Kishor Kumar S/o- Late Bameshwar Prasad Akela @ Bameshwar Prasad, Resident of Village and P.O.- Chauri, P.S.- Daudnagar, District-Jehanabad and at presently posted as Clerk in the office of District Education Officer, Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Magadh Pramandal, Gaya.
6. The District Education Officer, Jahanabad.
7. The District Programme Officer (Establishment), Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Singh, Adv.
For the State	:	Smt. Binita Singh (SC-28)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

*“I. That this is an application for issuance of
an appropriate writ(s), order(s), direction(s)
for directing the respondent authorities for
payment of current pay scale of Rs. 3050-4500
to the petitioner from the date of joining in the
light of order passed by the Hon’ble Court in*



*C.W.J.C. No. 17151 of 2018 dated 03.10.2020,
C.W.J.C. No. 28290 of 2020 dated 27.02.2020
and L.P.A. No. 167 of 2016 dated 23.06.2016
and also consequential benefit.*

*And/or for any other appropriate relief(s) to
the petitioner for which he may be found
entitled to in the eye of law.”*

3. Learned counsel for the petitioner admits that the issue involved in the present writ petition has been decided by the Hon’ble Full Bench of this Court in case of ***Ravi Shankar Kumar Vs. The State of Bihar, through the Chief Secretary & Ors. with other analogous cases*** reported in ***2025 SCC Online Pat 2627*** against the petitioners. He further submits that the said order was challenged and pending before the Hon’ble Supreme Court of India in S.L.P (C) No. 3335 of 2024. He submits that in case, the said S.L.P. (C) No. 3335 of 2024 preferred by other similarly situated person is decided in their favour, then all the petitioners shall also be entitled for the same in the light of Hon’ble Supreme Court’s order.

4. Learned counsel for the State submits that counter affidavit has been filed and until and unless the Hon’ble Supreme Court’s order in the said S.L.P (C) No. 3335 of 2024 shall not come, no relief can be granted to the petitioner.



5. In this view of the matter, this Court is of the view that keeping this writ petition pending shall be an unnecessary task, therefore, the present writ petition stands disposed off with liberty to the petitioner that in case, the above named S.L.P. (C) No. 3335 of 2024 decided in favour of other similarly situated person, then the petitioner by way of filing an application shall revive this writ petition.

(Dr. Anshuman, J)

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