

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.470 of 2025

1. Anjani Kumar S/o Akhileswar Prasad Sinha Resident of Mohalla-Quamruddinganj, P.O. and P.S.-Biharsharif, District-Nalanda.
2. Vinay Kumar Sinha S/o-Kalika Nand Singh Resident of Village-Islampur, P.O.-Ajanarua, P.S.-Noorsarai, District-Nalanda, Presently Working as Assistant Teacher in Primary School, Mardan Bigha, Block-Parwalpur, District-Nalanda.
3. Nagendra Prasad S/o Bisundev Mahto Resident of Village-Kashi Bigha, P.O.- Teuse, P.S.- Jayrampur, District-Shekhpora, Presently Working as Incharge Headmaster in Upgrades Middle School Gulani, Block-Biharsharif, District-Nalanda.
4. Anup Kumar Sinha S/o-Anand Mohan Prasad Resident of E-34 Vijay Nagar, Hanuman Nagar, P.O.-Lohiya Nagar, P.S.-Kankarbagh, District-Patna. Presently Working as Graduate Teacher in Middle School Kothiya, Block-Patna Sadar, Patna.
5. Panday Alok Kumar Sharma S/o-Panday Ashwani Kumar Sharma Resident of Village and P.O. and P.S.- Karay Parsuray, District-Nalanda. Presently Working as Head Master in Middle School Bandoh, Block- Rahui, District-Nalanda.
6. Rita Kumari Sinha D/o-Birendra Kumar Resident of Mohalla-Professor Colony, P.O. and P.S.-Biharsharif, District-Nalanda. Presently Working as Graduate Teacher in Middle School, Noor Sarai, Sangat, Block-Noorsarai, District-Nalanda.
7. Mritunjay Panday Avinashi S/o- Ramcharitra Pandey Avinashi, Resident of Mohalla-Panchvati Nagar, P.O. and P.S.-Rajgir, District-Nalanda. Presently Working as Assistant Teacher in Middle School Chakpar, Block- Rajgir, District-Nalanda.
8. Shiv Kumar Prasad S/o-Brahamdev Mistri Resident of Village-Maijara, P.O.-Madhar, P.S.-Ben, District-Nalanda, Presently Working as Graduate Art Teacher in Kanya Middle School Sohasalempur, Block- Biharsharif, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through its the Additional Chief Secretary Cum the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary Cum the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The Joint Secretary, Education Department, Bihar, Patna.
5. The District Education Officer, Nalanda.
6. The District Programme Officer (Establishment), Nalanda.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Adv
For the Respondent/s : Mr. Government Pleader (12)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

4 16-03-2026 Heard learned counsel for the petitioners 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 petitioners have
prayed for the grant of following reliefs:

“(i) For issuance of an
appropriate writ (s)/order (s) for directing to
the respondents to give the matric trained
pay scale to the petitioners from the date of
their Joining in the right of C.W.J.C. No.
6139 of 2007 (Ram Ashish Tiwary and
others Vs. The State of Bihar and other)
dated 31.03.2011 which was upheld by the
Division Bench of this court by the judgment
dated 16.08.2017 passed in L.P.A. No. 756 of
2015 (The State of Bihar and others Vs. Ram
Ashish Tiwary and others).

(ii) For any other appropriate
relief(s) to the petitioners for which they may
be found entitled to in the eye of law.”

4. In paragraph 8 of the writ application, following



statement has been made by the petitioners:

“8. That it is pertinent to state that the petitioners have also given the application before the respondents for their same benefits in the light of the above said order of the Hon'ble Court but respondents authorities are still sitting tight over the matter and no action has been taken in favour of the petitioners by the respondents till date.”

5. However, in support of the aforesaid statement made in paragraph 8 of the writ application, not a single representation said to have been filed before the Authorities, has been annexed with the writ application. In such view of the matter, learned counsel for the petitioners submits that the petitioners would be satisfied if this writ application is disposed of granting liberty to the petitioners to file a fresh representation before the District Education Officer, Nalanda. He further prays that an appropriate direction be given to the District Education Officer, Nalanda to dispose of the representation filed by the petitioners within a fixed time frame, after giving an opportunity of hearing to the petitioners.

6. To the aforesaid prayer being made by learned counsel for the petitioners, learned counsel appearing for



respondent-State does not have any objection.

7. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of granting liberty to the petitioners to file a fresh detailed representation before the District Education Officer, Nalanda within one month from today. If such a representation is filed within the stipulated time then the District Education Officer, Nalanda is directed to dispose of the same within a further period of six months, after giving an opportunity of hearing to the petitioners. Needless to emphasize that the final order which shall be passed by the District Education Officer, Nalanda should be a reasoned and speaking order. It is made clear that in case, the petitioners are found entitled to the relief which they would be claiming through the representation, the same should be extended to the petitioners within a further period of three months from the date of passing of the final order.

8. It is noted by this Court that while arraying the District Education Officer, Nalanda and the District Programme Officer (Establishment), Nalanda as party-respondent nos. 5 and 6, a typographical error has been committed whereby in place of Nalanda, Patna has been typed.



9. Learned counsel for the petitioners is directed to rectify the said mistake during course of the day.

10. 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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