

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2374 of 2026

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Rakesh Kumar Toofan Son of Ram Lal Prasad, Resident of Mohalla- Amber Sristal, P.O. and P.S.-Biharsharif, District- Nalanda. Presently working as Trained Graduate Teacher (Arts) in Upgraded Middle School Ganjpar, Block-Biharsharif, District- Nalanda. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary-cum-Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Additional Chief Secretary-cum-Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The Regional Deputy Director of Education, Patna Pramandal, Patna.
6. The District Education Officer, Nalanda.
7. The District Programme Officer (Establishment), Nalanda.
8. The District Accounts Officer, Nalanda.
9. The District Treasury Officer, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Singh
For the Respondent/s : Mr.Standing Counsel 18

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The defect(s) as pointed out by the Stamp Reporter is ignored.

3. The instant writ application has been filed for the following reliefs:-

(i) For issuance of an appropriate writ in the nature of mandamus for commanding and directing authorities the respondent concerned to provide the benefits in the light of letter no. 571 dated 13.06.2023 issued under the signature of the Director, Primary Education, Education Department,



Government of Bihar, Patna, in compliance of the order passed by this Hon'ble High Court on 09.08.2019 in CWJC No. 16165 of 2019 (Kishor Kumar and others Vs. The State of Bihar and others) as also in the light of memo no. 383 dated 03.04.2025 issued by the District Programme Officer (Establishment), Gaya in compliance of the order dated 14.11.2024 passed by this Hon'ble High Court in CWIC No. 7006/2024 (Jitendra Kumar and others Vs. The State of Bihar and others) by which, direction has been given for providing the notional benefits of trained pay scale from the date of relieving after completion of training and monetary benefits since 01.10.2003 and since the petitioner had been sent for one year in-service teachers training course for the session 2000-2001 and after completion of training, he was relieved to join his respective school on different dates in the year 2001 and in the light of the aforesaid letters, the petitioner is entitled for grant of notional benefits from the date of relieving from teachers training, the date on which, he was relieved to join his respective school after completion of training and due to not providing the notional benefit from the date of his entitlement, the petitioner is at loss of seniority etc.

(ii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to consider the case of the petitioner in the light of the aforesaid letter no. 571 dated 13.06.2023 issued under the signature of the Director, Primary Education, Education Department, Government of Bihar, Patna as also the memo no. 383 dated 03.04.2025 issued by the District Programme Officer (Establishment), Gaya, which have been issued in compliance of the judicial orders passed by this Hon'ble High Court, and provide the notional benefits from the date of completion of training, as there is laches on the part of the



respondent/State for not sending the petitioner for in-service teachers training course and taking examination belatedly in which the petitioner successfully passed.

(iii) For directing the respondent authorities concerned to dispose of the representation of the petitioner dated 26.11.2025 addressed to the District Education Officer, Nalanda and the District Programme Officer (Establishment), Nalanda by reasoned and speaking order by ventilating the genuine grievance of the petitioner for providing the notional benefits from the date of relieving after successful completion of teachers training and monetary benefits since 01.10.2003.

(iv) For any other relief(s) to which the petitioner is found entitled in the eye of law.

4. At this stage, learned counsel for the petitioner submits that the petitioner's case is squarely covered by the judgment rendered by a Coordinate Bench of this Court in *Sunil Kumar & Ors. vs. State of Bihar & Ors.*, vide CWJC No. 14100 of 2025 dated 18.11.2025, and that the present case may also be directed to be considered in light of the said judgment.

5. On the other hand, learned counsel for the State submits that the issue with regard to the grant of pay scale has already been adjudicated in the aforesaid case, and therefore, appropriate directions may be issued to the District Programme Officer (Establishment), Nalanda, to take a final decision with regard to the petitioner's claim.



6. Considering the submissions of the parties, this Court finds it appropriate to direct the petitioner to file a representation, along with all supporting documents and a copy of this order, within a period of four weeks from today before the District Programme Officer (Establishment), Nalanda /Respondent No. 7. Upon filing of such representation, Respondent No. 7 is directed to decide the petitioner's case on its own merits within a period of eight weeks from the date of receipt of the representation, strictly in consonance with the parameters indicated in the order and judgment dated 18.11.2025 passed by the Coordinate Bench in CWJC No. 14100 of 2025.

7. Needless to say, if it is found that the petitioner's case is similar to that of the petitioners whose grievances have been adjudicated by the Coordinate Bench, similar benefits shall also be extended to the present petitioner within the same period.

8. With the aforesaid observations and directions, this writ application stands disposed of.

(Ajit Kumar, J)

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