



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3751 of 2025

1. Mukesh Kumar S/o. Braj Mohan Prasad, R/o- Rani Ghat Lane, P.O.- Mahendru, P.S.- Sultanganj, Patna, Pincode - 800006, Presently posted at P.S.- Nizampur Tola, Block- Bikram, Distt.- Patna.
2. Anuj Kumar, S/o Om Prakash Yadav, R/o- Village - Aadarsh Nagar Fulakia, Shankarpur, Khawss, P.O. and P.S.- Ghogha, Kahalgaon, Bhagalpur, Pincode- 813205, Presently Posted at N.P.S. Alalkitta, Block- Dhoraiya, Distt.- Banka.
3. Jyoti Nandan Yadav, S/o- Nuneshwar Yadav, R/o- Village Bartar, P.O.- Bhairoganj via katoriya P.S.- Chandan, katoriya, Distt.- Banka, Pin code- 813106 Presently Posted at MS. Bijikhorba, Block- Belhar, Distt.- Banka.
4. Pradeep Kumar, S/o.- Yogendra Prasad Das, Ward No.- 01, Bhogu Sah Lane, Maskand, Mohanpur, P.O- Champanagar, P.S.- Nathnagar, Distt.- Bhagalpur, Pincode- 812004, Presently posted at P.S. Maldachak, Block- Amarpur, Banka.
5. Balram Prasad Yadav, S/o Dahanju Prasad Yadav, R/o-Village - Mayabandh, P.O.- Baghwa, P.S.- Bounsi, Distt.- Banka, Pincode - 813104, Presently Posted at M.S. Sahebganj, Block Belhar, Distt.- Banka.
6. Ramaditya Yadav, S/o Ras Bihari Yadav, R/o.- Hardevchak, P.O. and P.S.- Ishipur, Distt.- Bhagalpur, Pincode- 813206, Presently posted at M.S. Gokulmathura, Block- Pirpaintt, Distt.- Bhagalpur.
7. Rashmi, W/o. Rajnikant Ghosh, R/o.- F-22, Irrigation Colony, Jawaripur, P.O and P.S.-Tilak Manjhi, Distt.- Bhagalpur, Pincode- 812003, Presently posted at P.S.- Khadibhandar Naya Tola, Block- Pakra, Distt.- Bhagalpur.
8. Rakesh Konark, S/o- Sukhdev Chuniara, R/o- Arya Tola, P.O. and P.S.- Sabour, Distt.- Bhagalpur, Pincode- 813210, Presently posted at P.S.- Madhepura Goghtakahalgaon, Distt.- Bhagalpur.
9. Piyush Kumar, S/o.- Vishnudev Das, R/o.- Choti Khanjarpur, P.O- Barikhanjarpur, P.S.-Barari, Distt.- Bhagalpur, Pincode- 812001, Presently Posted at P.S.- Satankokhar Sc Tola, Vishanpur, Block-Gaura Dih, Distt.- Bhagalpur.
10. Kundan Kumar, S/o- Ashok Kumar Patel, R/o- Naya Tola Naugachia, P.O. and P.S.- Naugachia, Distt.- Bhagalpur, Pincode- 853204, Presently Posted at P.S.- Acharya Tola Pakra, Block- Naugachia, Distt.-Bhagalpur.
11. Aditya Kumar Chaudhry, S/o- Banarsi Prasad Chaudhry, R/o. Pirpainti, Shermari Hat, Moheshram, P.O. and P.S.- Pirpainti, Distt.- Bhagalpur, Pincode- 813209, Presently Posted at M.S. Sakanda, Block- Pirpainti, Distt.- Bhagalpur.
12. Rajiv Kumar Das, S/o- Rambilas Harijan, R/o- Village and P.O.- Mathurapur, P.S.- Kahalgaon, Distt.- Bhagalpur, Pincode- 81322 Presently Posted at M.S. Pakra Toli, Block- Gopalpur, Distt.- Bhagalpur.
13. Nayantara Choudhary, W/o. Yogendra Kumar Sharma, R/o. Patel Nagar, P.O. and P.S.- Kahalgaon, Distt.- Bhagalpur, Pincode- 813203, Presently Posted at M.S. Shyampur, Block- Kahalgaon, Distt.- Bhagalpur.





14. Madhu Kumari, W/o.- Niranjan Kumar, R/o.- Janki Prasad Lane, P.O.- Badi Post Office, Ghantaghar, P.S.- Isakchak, Distt - Bhagalpur, Pincode- 812001, Presently Posted at M.S. Bodhwa, Block- Navgachia, Distt.- Bhagalpur.
15. Amrendra Kumar, S/o- Raj Kishor Yadav, R/o- English P.O.- Farka, P.S.- Sabour, Distt.- Bhagalpur, Pincode- 813210, Presently posted at P.S. Kulkuliya Ghogha, Block- Kahalgaon, Distt - Bhagalpur.
16. Md. Nayyer Ansari, S/o.-Mohammed Jamil Akhtar, R/o.- Gumti No.- 03, Hatiya Tank Lane, Near Chhoti Masjid, Bhikhanpur, P.O- Head Post office, P.S.- Ishachak, Distt. Bhagalpur, Pincode- 812001, Presently posted at P.S. Khiri bandh Haat, Block-Jagdishpur, Distt- Bhagalpur.
17. Purnima Kumari, D/o- Vijay Shankar Bhagat, R/o- Jail Road, Jawaripur, Jagdishpur, P.O. and P.S.- Tilaka Manjhi, Distt - Bhagalpur Pincode 812001 Presently Posted at M.S. Suktiya Bazar, Block-Gopalpur, Distt.- Bhagalpur.
18. Kranti Kumari, D/o- Surydevsingh, R/o.- Vill. and P.O. and P.S.- Mahagama, Distt.- Godda, Jharkhand, Pincode- 814154 Presently Posted at M.S. Sabaipur Boys, Block- Barahaat, Distt.- Banka.
19. Amarjeet Kumar, S/o.- Ramdeo Prasad Singh, R/O.- Vill. and P.O.- Gurudwar, Vijayhat, Kolhatha, Distt.- Banka, Pincode- 813109 Presently posted at N.P.S. Basta Harijan, Block- Dhoraiya, Dist.- Banka.
20. Mamta Kumari, W/o- Pramod Kumar, R/o Ramnagari Sector- 2, Rajiv Nagar, Ashiyana Nagar, P.O.- Ashiyana Nagar, P.S.- Rajiv Nagar, Distt. -Patna, Pincode- 800025, Presently Posted at G.M.S. Sherpur, Block- Maner, Distt.- Patna.
21. Jyoti Kumari, D/o- Vijay Kumar Besra, R/o- Uttari Mandiri, P.O.- G.P.O, P.S.- Buddha Colony, Distt.- Patna, Pincode- 800001 Presently Posted at G.M.S. Sherpur, Block- Maner, Distt.- Patna.
22. Pushpam Kumari, W/o.- Sujeet Kumar Jha, R/o.- H.No.- 52, Vishnu Lane, Panchsil Nagar, Gola Road, P.O. and P.S. Danapur, Distt.- Patna, Pincode- 800012, Presently Posted at U.M.S. Sarai, Block-Maner, Distt.- Patna.
23. Manoj Kumar, S/o.- Awadhesh Kumar, R/o.- H.No.- 1553, P.O. and P.S.- Sector- 12A, Bokaro Steel City, Jharkhand, Pincode- 827012, Presently posted at G.M.S. Rampur 31, Block- Maner, Distt.- Patna.
24. Munmun Bharati, W/o- Prakash Ranjan Patel, R/o- Mehar Par, P.O- Rana Bigha, P.S.- Biharsharif, Nalanda, Pincode- 803101 Presently posted at M.S. Amraura, Block- Chandi, Distt.- Nalanda.
25. Dheeraj Kumar, S/o. Prabhat Prasad, R/o.- Vill. and PO. and P.S.- Parwalpur, Distt.- Nalanda, Pincode- 803114 Presently Posted at U.M.S. Ahiyapur, Block- Sarmera, Distt.- Nalanda.
26. Ranjan Bharti, S/o- Saroj Prasad, R/o. Vill. and P.O.- Gaurav Nagar, P.S.- Parwalpur, Distt.- Nalanda, Pincode- 303114 Presently Posted at P.S.- Maheshour, Block- Ben, Distt.- Nalanda.
27. Rajesh Kumar, S/o. Binod Kumar, R/o Vill.- Kurmia Bigha, P.O. -Babhanbarui, P.S.- Hilsa, Distt. Nalanda, Pincode- 801302 Presently Posted at P.S.- Jaitpur, Block- Tharthari, Distt.- Nalanda.
28. Shashi Bhushan Prasad, S/o - Sita Ram Prasad, R/o.-Vill.- Balchand Bigha, P.O. and P.S.- Ben, Distt.- Nalanda, Pincode- 803114, Presently posted at





P.S.- Akaidpar, Block- Ben, Distt.- Nalanda.

29. Mahesh Kumar, S/o. Ramchandra Pandit, R/o. P.O. and P.S.- Hilsa, Distt.- Nalanda, Pincode-801302, Presently Posted at P.S.- Jaitpur, Block-Tharthari, Distt.- Nalanda.
30. Sanjay Kumar, S/o. Durga Yadav, R/o- Nosra, P.O. and P.S.- Noorsari, Pincode- 803113, Presently Posted at P.S.- Akauna, Block- Tharthari, Distt.- Nalanda.
31. Mantosh Kumar, S/o.- Sunil Prasad, R/o.- Vill.- Rasalpur, P.O. and P.S.- Bind, Distt.- Nalanda, Pincode- 803107, Presently posted at U.M.S. Chainpur, Block- Islampur, Distt.- Nalanda.
32. Tarnay Kumar Keshri, S/o.- Krishan Deo, R/o- Vill.-Vishunpur, P.O. Tajnipur, P.S.- Bind, Distt.- Nalanda, Pincode -803213 Presently posted at U.M.S. Alinagar, Block- Ashthawan, Distt.- Nalanda.
33. Neetu Kumari, W/o. Shailendra Yadav, R/o.- Vill.- Bijwanpar, P.O.- Mahanandpur, P.S.- Deep Nagar, Distt.- Nalanda, Pincode- 803101, Presently Posted at M.S. Nirpur, Block Silao, Distt.- Nalanda.
34. Nitish Kumar, S/o. Naresh Prasad Sinha, R/o P.O.- Toygarh, P.S.- Jairampur, Distt.- Sheikhpura, Pincode- 811101, Presently Posted at P.S.- Kottra, Jahangirpur, Block- Sarmera, Distt.- Nalanda.
35. Prakash Kumar, S/o. Lala Prasad, R/o. Vill.- Narayanpur, P.O.- Barbigha, P.S.- Barbigha, Distt.- Sheikhpura, Pincode- 811101, Presently Posted at P.S.- Kottra, Jahangirpur, Block- Sarmera, Distt.-Nalanda.
36. Neelam Bharti, W/o.- Sanjay Kumar, R/o.- Bhaisasur, P.O.- Biharshariff, P.S. Laheri, Distt.- Nalanda, Pincode- 303101, Presently Posted at Nav Nalanda M.S. Nirpur, Block- Silao, Distt. - Nalanda.
37. Pranjali, D/o.-Devendra Prasad R/o. P.O. and P.S.- Parwalpur, Distt.- Nalanda, Presently Posted at Primary School Amber, Block-Biharshariff, Distt.- Nalanda.
38. Gautam Kumar, S/o- Ashok Kumar Pandey, R/o- Mohalla- Dariyapur Gola, North of Radha Krishan Chauraha Arya Kumar Road, P.O.- Bankipur, P.S.- Pirmahore, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary Govt. of Bihar Patna.
2. The Chief Secretary, Govt. of Bihar Patna.
3. The Addl Chief Secretary, Education Department, Govt. of Bihar, Patna.
4. The Director, Primary Education, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar No. 1, Adv.
For the Respondent/s	:	Mrs. Binita Singh, SC-28

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR



**ORAL JUDGMENT****Date : 19-01-2026**

Heard the parties.

2. The batch of writ petitioners was duly appointed as untrained Panchayat/Prakhand/Nagar Teachers in the year 2013-2016 by the competent authority. Despite having their appointments been made with a clear stipulations that the petitioners shall be sent for teachers training to their respective training colleges, they had been sent belatedly. Even though the petitioners have duly appeared in the examination, but their results have been published with a further delay and thereby, depriving them from trained scale for a pretty long time, without there being any fault on their part.

3. Identical issue has come up for consideration before this Court in case of ***Kishor Kumar & Ors. Vs. The State of Bihar & Ors., CWJC No. 16165 of 2019***, which came to be disposed off on 09.08.2019, by observing as follows:-

“Considering the aforesaid, the writ petition is disposed of with a direction to the Director, Primary Education to consider the case of the petitioners and grant the benefit from the date of completion of training to the petitioners as the lapses on the part of the respondents cannot be a ground to deny the benefit of trained pay scale. It is now well settled that one cannot take advantage of his own wrong in defeating





*the genuine claim. Chief Justice Chhagla of Bombay High Court in the case of **All India Groundnut Syndicate Ltd. Vs. Commissioner of Income Tax, Bombay City: AIR 1954 Bom. 232** has occasion to settle the principle on the similar line there is judgment of the Apex Court in the case of **State of Maharashtra Vs. Jagannath Achyut Karandikar: AIR 1989 SC 1133**. The respondents have to take decision granting benefit of trained scale to the petitioners with effect from the date of completion of their training i.e. May, 2017. Necessary decision in this regard with all consequential monetary benefits must be taken by the Director, Secondary Education within a period of sixty days from the date of receipt/production of a copy of this order.*

With the aforesaid, the writ petition stands disposed of.”

4. Mr. Mukesh Kumar No. 1, learned Advocate for the petitioners submitted that identically situated persons also approached this Court in **CWJC No. 7938 of 2020 (Manoj Kumar & Ors. Vs. The State of Bihar & Ors.)** with other analogous writ petitions, which came to be disposed off in the light of the aforementioned decisions on 01.02.2021. Aggrieved with the order passed by learned Single Judge, the State has unsuccessfully preferred letters patent appeal bearing LPA No. 456 of 2021, which came to be dismissed on 03.04.2025.

5. Referring to the aforementioned decisions, it is submitted that despite the issue having been settled up to the





Division Bench of this Court, the petitioners have not been accorded the identical relief in the light of the Bihar State Litigation Policy especially Clause 4 (c) (i) thereof. Hence, the present application.

6. Learned Advocate for the State though did not confront with the legal position, however it is apprised to this Court that against the order passed by the Division Bench in LPA No. 456 of 2021, the State has preferred SLP (Diary) No. 66035 of 2025 dated 17.11.2025.

7. At this juncture, learned Advocate for the petitioner submitted that the SLP preferred by the State of Bihar also came to be dismissed on 15.01.2026, hence there is no impediment in extending the benefit in terms with the order passed by this Court in ***Kishor Kumar & Ors.*** (supra) as well as the order passed in CWJC No. 7938 of 2020 (***Manoj Kumar & Ors. Vs. The State of Bihar & Ors.***) duly affirmed by the learned Division Bench in LPA No. 456 of 2021.

8. Having considered the aforesaid facts and circumstances as well as the position in law, as held by the learned Single Judge as well as Division Bench of this Court, this Court deems it apt and proper to dispose off the writ petition with a direction to the respondent no. 4 to take up the





representation of the petitioners dated 24/25.07.2025, the copy of which is marked as Annexure-P/9 to the writ petition and bring to its logical conclusion, preferably within a period of eight weeks, from the date of receipt/production of a copy of this order.

9. It is made clear that if the claim of the petitioners find identical to those, who have been accorded the relief, as prayed for in the writ petition, the identical relief must be accorded to the petitioner.

10. The writ petition stands disposed off.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.01.2026
Transmission Date	NA

