



2026:PATHC:5764

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9950 of 2025

1. Sudhir Kumar Yadav Son of-Tej Narayan Yadav, Resident of Village-Hardiya Kurava (Sampadahar), P.S- Baunsi, District-Banka, Bihar, Presently Posted as Exclusive Teacher in Primary School Thewari, District- Banka, Bihar.
2. Saurabh Kumar Son of Bijay Prasad Aryachandra Resident of Village-Mirzapur, P.S.- Barahat, District -Banka, Bihar, Presently Posted as Exclusive Prakhand Teacher in R.B.S. Karjhosa, District-Banka, Bihar.
3. Vikram Kumar Son of Bashishth Prasad Sah, Resident of Village-Radhanagar. P.S.-Katoria, District-Banka, Bihar, Presently Posted as Basic Panchayat Teacher in N.P.S. Kurumtar, District-Banka, Bihar.
4. Anita Jha Wife of Nivas Kumar, Resident of Village- Biraul, P.S.- Pandaul, District- Madhubani, Bihar, Presently Posted as Nagar Teacher in Urdu P.S. (Girls), Dumrama, District- Banka, Bihar.
5. Sarvesh Kumar Roy Son of Radhika Prasad Roy, Resident of Village-Manpur, P.S.- Bikramganj, District -Banka, Bihar, Presently Posted as Exclusive Prakhand Teacher in U.M.S. Dubrajpur- Barahat, District- Banka, Bihar.
6. Rajib Kumar Son of Sachchidanand Jha, Resident of Village- Asha Tola, P.S.- Bariyarpur, District -Munger, Bihar, Persently Posted as Exclusive Prakhand Teacher in U.M.S. Haribanshpur, District- Banka, Bihar.
7. Rajiv Kumar Son of Bijli Prasad Singh, Resident of Village- Tilakpur, P.S.- Sultanganj, District -Banka, Bihar, Persently Posted as Panchayat Teacher in N.P.S. Manikpur, District-Banka, Bihar.
8. Pradeep Kumar Singh Son of Jay Prakash Singh Resident of Village Baijalpur, P.S.- Asarganj. District Munger, Bihar, Persently Posted as Panchayat Teacher in M.S. Basabitta, District-Banka, Bihar.
9. Brahmadeo Mandal Son of Sri Karam Chand Mandal Resident of Village Bhikha, P.S.- Bounsi, District -Banka, Bihar, Persently Posted as Panchayat Teacher in P.S.Baghamari, District- Banka, Bihar.
10. Rajesh Kumar Son of Sahdeo Singh Resident of Village- Rahmatpur. P.S.- Asarganj. District -Munger, Bihar, Persently Posted as Panchayat Teacher in P.S.Simariya, District-Banka, Bihar.
11. Shobha Kumari Daughter of Mahendra jha, Resident of Village Jhapaniya, P.S.- Bounsi, District -Banka, Bihar, Persently Posted as Exclusive Prakhand Teacher in U.M.S. Pandatola, District- Banka, Bihar.
12. Sandhya Kumari Daughter of Beda Nand Singh Resident of Village-Kamalnagar Colony, P.S.- Mojahidpur, District -Bhagalpur, Bihar, Persently Posted as Exclusive Prakhand Teacher in M.S.Rata, District- Banka, Bihar.
13. Santosh Kumar Son of Bijendra Prasad Ghosh Resident of Village-Panjwara, P.S.- Panjwara, District -Banka, Bihar, Persently Posted as Exclusive Panchayat Teacher in N.P.S.Jhakhiyagora, District- Banka, Bihar.
14. Pankaj Kumar Son of Late Mahendra Prasad Yadav, Resident of Village-Laskari, P.S.- Banka District -Banka, Bihar, Persently Posted as Nagar





Teacher in P.S. Pathara, District-Banka, Bihar.

15. Santosh Kumar Son of Shatrughna Prasad Das, Resident of Village- Auriya, P.S.- Barahat, District -Banka, Bihar, Persently Posted as Prakhand Teacher in U.M.S Maharana(Urdu), District- Banka, Bihar.
16. Renu Daughter of D.N. Yadav, Resident of Village-Banka, P.S.- Banka, District -Banka, Bihar, Persently Posted as Prakhand Teacher in U.M.S.Likhni Kojhi, District- Banka, Bihar.
17. Laxmi Kumari Daughter of Hari Kishun Bhagat Resident of Village- Jaipur, P.S.- Katoria, District -Banka, Bihar, Persently Posted as Prakhand Teacher in K.M.S. Bounsi, District- Banka, Bihar.
18. Barsha Rani Gupta Daughter of Ram Kumar Gupta Resident of Village-Jaipur, P.S.-Katoriya, District -Banka, Bihar, Presently Posted as Prakhand Teacher U.M.S. Barmasiya, District- Banka, Bihar.
19. Renu Kumari Daughter of Bhuwneshwar Prasad Singh, Resident of Village-Masahakchak, P.S.- Adampur, District -Bhagalpur, Bihar, Persently Posted as Prakhand Teacher in U.M.S. Kalyanpur, District- Banka, Bihar.
20. Rashmi Kumari Daughter of Kamlesh Chandra Ojha, Resident of Village-Nawadih, P.S.-Bounsi, District -Banka, Bihar, Persently Posted as Panchayat Teacher in N.P.S.Nawadih, District-Banka, Bihar.
21. Kumar Satyam Son of Tarni Yadav, Resident of Village- Shankarpur, P.S.- Munger(Muffashil), District-Munger, Bihar, Presently Posted as School Teacher in Uchch Madhyamik Vidyalay, Dabil, Block- Khaira, District-Jamui, Bihar.
22. Purushottam Kumar Son of Lalmohan Pandit Resident of Village- Birgown, P.S.- Belhat, District -Banka, Bihar, Persently Posted as Exclusive Prakhand Teacher in M.S. Matihani, District- Banka, Bihar.
23. Aakanksha Bharati Daughter of Umesh Kumar Roy Resident of Village-Rannuchak P.S.- Nathnagar, District -Banka, Bihar, Presently Posted as Nagar Teacher in M.D.N.G.M.S Dumrama(boys), District- Banka, Bihar.
24. Pushpa Kumari Daughter of Om Prakash Sah Resident of Village-Tonapathar. P.S. Suiya, District -Banka, Bihar, Persently Posted as Exclusive Prakhand Teacher in U.M.S. Kadhar, District- Banka, Bihar.

... .. Petitioner/s

Versus

1. The Union of India through Secretary Department of School Education and Literacy Ministry of Human Resource Development, Government of India.
2. The State of Bihar through its Principal Secretary, Department of Human Resource Development Bihar, Patna.
3. The Director Primary Education Department of Human Resource Development, Bihar, Patna.
4. The Secretary, Department of Finance state of Bihar, Patna.
5. The Additional Chief Secretary, Bihar, Patna.
6. The District Programme Officer (Establishment), Banka
7. The District Education Officer, Banka.





... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 9674 of 2025

Kumari Rina Mishra Wife of Sunil Kumar Jha, Resident of Village/Muhalla-
Ward No. 23, Goswami Lakshminath Nagar Batraha, P.S.-Saharsa (Sadar),
District-Saharsa, Bihar.

... .. Petitioner/s

Versus

1. The Union of India through Secretary Department of School Education and Literacy Ministry of Human Resource Development, Government of India.
2. The State of Bihar through its Principal Secretary, Department of Human Resource Development, Bihar, Patna.
3. The Director Primary Education, Department of Human Resource Development, Bihar, Patna.
4. The Secretary, Department of Finance, State of Bihar, Patna.
5. The Additional Chief Secretary, Department of Finance, State of Bihar, Patna
6. The District Programme Officer (Establishment), Saharsa.
7. District Education Officer, Saharsa.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 9701 of 2025

1. Prabin Kumar Singh, Son of Ratneshwar prasad Singh, Resident of village and P.O.-Jogiara PS.-Jalley, District Darbhanga, Bihar, Presently posted as Pakhand Teacher in UMS Bihari Mukund Hanumannagar, District-Darbhangha, Bihar
2. Rajesh Kumar Jha Son of Brahma Nand Jha, resident of village-Nabharpatti, PO N.N. Patti, P.S-Alinagar, District Darbhanga, Bihar, Presently posted as prakhand Teacher in B.S. Milki Alinagar, District-Darbhangha, Bihar.
3. Niraj Kumar Sinha, Son of Shiv Nath Prasad, resident of village and P.O.-Barheta, P.S.-Kalyanpur, District-Samastipur, Bihar, Presently posted as plus 2, panchayat Teacher in. P.S. Dharni Patti, Bahadurpur District-Darbhangha, Bihar.
4. Anand Krishna, Son of Shreenath prasad, resident of village-pohaddi bela, P.O.-Pohaddi bela, P.S. Ghanshyampur, District Darbhanga, Bihar, Presently posted as Panchayat Teacher in Primary School Mushari tol pohaddi bela, Ghanshyampur, District-Darbhangha, Bihar
5. Sharda Charan Roy, Son of Surendra Roy, resident of village- Behta P.O.-Kanhauri, P.S.-Manigachhi, District-Darbhangha, Bihar, Presently posted as Panchayat Teacher in N.P.S. Badhaitol Behta, Block-Manigachhi, District-





Darbhangha, Bihar

6. Raman Kumar mandal, Son of Shyam Sundar Mandal, resident of village-Hardwar, PO-Pali, P.S. Ghanshyampur, District Durhlungs, Bd, Presently posted as Panchayat Teacher in Primary School Bisaila Ganaun, Ghanshyampur, District-Darbhangha, Bihar
7. Soni Kumari Daughter of Bir Chandra Prasad, resident of village Bhatiyarisarai, PO Lalbagh PS-Laheriyasarai, District Darbhanga, Bihar, Presently posted as Prakhand Teacher in U.M.S. Bharathi, singhwara, District-Darbhangha, Bihar
8. Shambhoo Nath Prasad, son of Late Jagdish Sah, resident of village-Gangiya, P.O-Sonki, P.S.-Sonki, District-Darbhangha, Bihar, Presently posted as Panchayat Teacher in P.S. Gotahi Bahadurpur, District-Darbhangha, Bihar
9. Kripa Nath Jha, Son of Nitya Nath Jha, resident of village-Mahrail, P.O.-mahrail, PS-Rudrapur, District Madhubani, Bihar, Presently posted as Pakhand Teacher in Middle School Bhattipur, Manigachhi, District-Darbhangha, Bihar
10. Raman Kumar, Son of Ram Bahadur Mahto, resident of village and P.O. Bela, P.S. Lakhsaur, District Madhubani, Bihar, Presently posted as Pakhand Teacher in U.M.S.Ujus, District-Darbhangha, Bihar
11. Md Irshad Alam, sou of Abdul Mannan, resident of village Umri, POumi, PS Lakhsaur, District Madhubani, Bihar, Presently posted as Prakhand Teacher in M.S. Kunauni Urdu Goura Bouram District-Darbhangha, Bihar
12. Minakshi kumari, Daughter of Shashi Nath Mishra, resident of village Darbhanga ward-11,PO Lalbagh, P.S. Town Thana, District Darbhanga, Bihar, Presently posted as Prakhand Teacher in M.S. Bihari Jalley, District-Darbhangha, Bihar
13. Shikha kumari, Daughter of Sri Sada Nand Mishra, resident of village-Chakraje P.O.-Manigachhi, P.S.-Manigachhi, District-Darbhangha, Bihar, Presently posted as Panchayat Teacher in P S Raje Leela Babu tol, District-Darbhangha, Bihar
14. Sanjay Kumar, Son of Indrasan Prasad Dayalu, resident of village-Andharban PO Basudevpur, P.S.-Laukaha, District Madhubani, Bihar,- Presently posted as Pakhand Teacher in UMS Kadamtole, keoti District-Darbhangha, Bihar
15. Hasan Abdullah, son of Abdul Allam Arif Salfi, resident of village-Imambari, P.O.-Laheriyasarai, P.S.-Laheriyasarai, District- Darbhanga Bihar, Presently posted as Prakhand Teacher in U. M.S. Rasoolpur Unda, District-Darbhangha, Bihar
16. Parmod Kumar, Son of Ram Bilash Roy, resident of village-Misrauliya, P.O.-Misrauliya, P.S.-Babubarhi, District-Madhubani, Bihar, Presently posted as Pakhand Teacher in BS Doghra Jalley, District-Darbhangha, Bihar
17. Avdhesh Poddar, son of Shivji Poddar, resident of village-Jagdishpur, P.O.-Nehra, PS-Nehra, District-Darbhangha, Bihar, Presently posted as Panchayat Teacher in P.S.Navanagar south, Alinagar, District-Darbhangha, Bihar

... .. Petitioner/s

Versus





1. The Union of India, through Secretary Department of School Education and Literacy Ministry of Human Resource Development, Government of India.
2. The State of Bihar through its Principal Secretary, Department of Human Resource Development Bihar, Patna.
3. The Director, Primary Education Department of Human Resource Development, Bihar, Patna.
4. The Secretary, Department of Finance state of Bihar, Patna.
5. The Additional Chief Secretary, Bihar, Patna.
6. The District Programme Officer (Establishment), Darbhanga.
7. The District Education Officer, Darbhanga

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 9759 of 2025

1. Nityanand Singh Son of Rajendra Prasad Singh, Resident of Village-Korigavan, P.O- Kochas, P.S- Kochas, District- Rohtas, Bihar, Presently posted as Primary Teacher/Panchayat Teacher in Primary School Bharhuan, District- Rohtas, Bihar.
2. Santosh Kumar Singh Son of Bikrama Singh, Resident of Village/Mohalla-Ward No. 11, Kochas, P.S- Kochas, District- Rohtas, Bihar, Panchayat Teacher in Primary School Korigawa, Presently posted as 11-12 (History) teacher in utkramit madhyamik vidyalaya khalsapur dinara, District- Rohtas, Bihar.
3. Babita Kumari Wife of Dharmendra Kumar, Resident of Village- Gangauli, P.S- Dalmiyanagar, District- Rohtas, Bihar, posted as Primary Teacher/Panchayat Teacher in Primary School Ugra, District- Rohtas, Bihar. Presently posted as School teacher in Rajkiya Krit adarsh high school kaithi block- Obra, district- Aurangabad, Bihar.
4. Dharendra Kumar Son of Shiv Nath Singh, Resident of village/Muhalla-New Sidhau, Narayan Tola Dalmiyanagar, Dehri On Sone, P.S.- Dalmiyanagar, District- Rohtas, Bihar, Presently posted as Prakhand Teacher in Middle School Muriyar, District-Rohtas, Bihar.
5. Susheel Kumar Singh Son of Ramautar Singh, Resident of village-Khanethi, P.S- Sonahan, District-Kaimur, Bihar, Presently posted as Prakhand Teacher in Middle School Piparadih, District-Rohtas, Bihar
6. Kumar Hirendra Son of Ram Naresh Singh, Resident of village- Babuganj (south of union office) Post and P.S.- Tilauthu, District- Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in Primary School Pathra, District-Rohtas, Bihar.
7. Vijay Kumar Singh Son of Ram Nath Singh, Resident of village-Bishunpura, P.S.- Nokha, District- Rohtas, Bihar, Presently posted as Primary Teacher/Panchayat Teacher in Primary School Rampur, District-Rohtas, Bihar.
8. Manjay Lal Son of Lakshaman Singh, Resident of village/Muhalla-





- Motidevi ITI, Mohania Road, Kochas, P.S. Kochas, District- Rohtas, Bihar, Primary Teacher/ Panchayat Teacher in Primary School Korigava, District- Rohtas, presently posted as 11-12(History) teacher in UHS. Mahuawa, Parihar, Sitamarhi, Bihar.
9. Archana Singh Wife of Vatan Kumar Singh, Resident of village- Dariyapur, Kandawa, P.S.-Chunar, District- Mirzapur, State- Uttar Pradesh, Prakhand Teacher in Upgraded Middle School Chatra, District-Rohtas, Bihar. Presently posted as school teacher (11-12) plus 2 Bhagwat high school shahar telpa, Prakhand-Karpi, District-Arwal, Bihar
 10. Shambhu Kumar Son of Sheo Sagar Chaudhary, Resident of village/ Muhalla- Gajradh, P.S.-Sasaram, District- Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in Primary School Rampur, District-Rohtas, Bihar.
 11. Rakesh Kumar Pandey Son of Shyam Nath Pandey, Resident of village- Kharoj, P.S.-Suryapura, District- Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in Primary School Lakshmipur, District-Rohtas, Bihar.
 12. Sunil Kumar Son of Bhim Ram, Resident of village- Dudhar, post sisrit P.S. Nokha, District-Rohtas, Bihar, Presently posted as Prakhand Teacher in middle School Sisirit, District-Rohtas, Bihar.
 13. Lokesh Ranjan Tiwary Son of Ram Bihari Tiwary, Resident of village- Deokhaira, P.S.-Kochas, District- Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in Primary School Korigava, District-Rohtas, Bihar.
 14. Ravi Shankar Singh Son of Krishna Murari Singh, Resident of village- Damodarpur, P.S.-Karagahar. District- Rohtas, Bihar, Presently posted as Primary Teacher/Panchayat Teacher in Primary School Parawaliya, District-Rohtas, Bihar.
 15. Indu Singh Wife of Om Prakash, Resident of village- Semari Deo, P.S.- Karagahar, District-Rohtas, Bihar, Presently posted as Nagar Teacher in Primary School Parayagbigha, District-Rohtas, Bihar.
 16. Ashiwani Kumar Tiwary Son of Ravi Narayan Tiwary, Resident of village- Srisiyan, P.S.-Karagahar, District- Rohtas, Bihar, Primary Teacher/ Panchayat Teacher in K.P. School Dibhiyan, presently posted- U. M. V. Saron Dinara, Rohtas plus 2 (history), District-Rohtas, Bihar.
 17. Jitendra Kumar Singh Son of Rajgrihi Singh, Resident of village- Deokhaira, P.S. Kochas, District- Rohtas, Bihar, Presently posted as Primary Teacher/Panchayat Teacher in Primary School Samahuta(w), District-Rohtas, Bihar.
 18. Sanjay Kumar Dwivedi Son of Ramanuj Dwivedi, Resident of village- Kochas, P.S.- Kochas, District- Rohtas, Bihar, Presently posted as Prakhand Teacher in Utkramit Middle School Laheri, District-Rohtas, Bihar.
 19. Kamalesh Kumar Singh Son of Triloki Nath Singh, Resident of village- Bhundi Tekari, P.S.-Mohania, District- Kaimur, Bihar, Presently posted as Prakhand Teacher in Middle School Lodhi, District-Rohtas, Bihar.
 20. Shivmangal Singh Son of Jagmohan Singh, Resident of village- Karmaini, P.S.- Kargahar District- Rohtas, Bihar, Presently posted as Prakhand Teacher





in Utkramit Middle School Anhari, District-Rohtas, Bihar.

21. Rakesh Kumar Son of Daya Shankar Singh, Resident of village- Satsa, P.S.- Kochas, District-Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in Primary School Indaur, District-Rohtas, Bihar.
22. Ajit Kumar Chourasia Son of Ranglal Chourasia, Resident of village- Jabra, P.S.- Nokha, District- Rohtas, Bihar, Presently posted as Prakhand Teacher in Upgraded Middle School Pithvaiya, District-Rohtas, Bihar.
23. Shashi Kumar Maurya Son of Ganesh Maurya, Resident of village- Minv, P.S.- Bhabua, District-Kaimur, Bihar, Presently posted as Prakhand Teacher in Middle School Karmaini Purhara, District-Rohtas, Bihar.
24. Vijay Kumar Gupta Son of Ram Ekbal Gupta, Resident of village- Samardihan Pipara, P.S.-Karagahar, District- Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in Primary School Singawa, District-Rohtas, Bihar.
25. Ajit Kumar Singh Son of Ram Chandra Singh, Resident of village-kirhindi post- Kirhindi, P.S.-Shivsagar, District- Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in New Primary School jigna,block-shivsager District-Rohtas, Bihar.
26. Ramesh Kumar Kharwar Son of Shailendra Kumar Kharwar, Resident of village/ Muhalla- ward no.13, Mahadevpur, Manikpur, P.S.- Rajpur, District-Buxar, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in UMS Masona, District-Rohtas, Bihar.
27. Bagish Kumar Son of Bijay Kumar Chaubey, Resident of village-Raghunathpur, P.S.-Chenari. District Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in Primary School Bartali Khurd, District-Rohtas, Bihar.
28. Prabhash Kumar Gupta Son of Raj Mohan Prasad, Resident of village/Muhalla- Sherganj. P.S.- Sasaram, District- Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in Primary School Jagadatpur, District-Rohtas, Bihar.
29. Dharendra Kumar Son of Lalan Prasad, Resident of village- Konar, P.S.- Shivsagar, District-Rohtas, Bihar, Presently posted as Primary Teacher/ Panchayat Teacher in Primary School Delhua, District-Rohtas, Bihar.
30. Dr. Harendra Singh Son of Sri Ram Ganesh Singh, Resident of village-Ararua P.S.- Kargahar, District- Rohtas, Bihar, Presently posted as Primary Teacher/Panchayat Teacher in Primary School kumhila District-Rohtas, Bihar.
31. Kavita Kumari Wife of Dinesh Prasad Ravidas, Resident of village-Pachasawa, P.S.-Sasaram, District- Rohtas, Bihar, Primary Teacher/ Panchayat Teacher in Primary School Amri, District-Rohtas, Presently Posted School as Upgraded high school Tahal Amba District Aurangabad Bihar.
32. Madan Kumar Ram Son of Ram Nagina Ram, Resident of village- Turki, P.S.- Chenari District- Rohtas, Bihar, Presently posted as Panchayat Teacher in Primary School Nandusiyara, District-Rohtas, Bihar.
33. Gulab Chand Singh Son of Muralidhar Singh, Resident of village- Parasiyan





Thakurai, P.S-Nasriganj, District-Rohtas, Presently posted at Smt. Janki Devi, Project Girls plus 2 H.S., Madhopur, Majhauria, West Champaran, Bihar.

... .. Petitioner/s

Versus

1. The Union of India through Secretary Department of School Education and Literacy Ministry of Human Resource Development, Government of India.
2. The State of Bihar, through its Principal Secretary, Department of Human Resource Development Bihar, Patna.
3. The Director, Primary Education Department of Human Resource Development, Bihar, Patna.
4. The Secretary, Department of Finance State of Bihar, Patna.
5. The Additional Chief Secretary, Bihar, Patna.
6. The District Programme Officer (Establishment), Rohtas.
7. The District Education Officer, Rohtas.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 9950 of 2025)

For the Petitioner/s : Mr. Saroj Kumar, Adv.

Mr. Amit Kumar, Adv.

For the Respondent/s : Ms. Sarita Bajaj, CGC

Mr. Vikramadit, AC to SC-22

(In Civil Writ Jurisdiction Case No. 9674 of 2025)

For the Petitioner/s : Mr. Saroj Kumar, Adv.

Mr. Amit Kumar, Adv.

For the Respondent/s : Mr. Alok Ranjan, AC to AAG-5

Ms. Sarita Bajaj, CGC

(In Civil Writ Jurisdiction Case No. 9701 of 2025)

For the Petitioner/s : Mr. Saroj Kumar, Adv.

Mr. Amit Kumar, Adv.

For the Respondent/s : Mr. K P Gupta, GP-10

Mr. Anwar Karim, AC to GP-10

(In Civil Writ Jurisdiction Case No. 9759 of 2025)

For the Petitioner/s : Mr. Saroj Kumar, Adv.

Mr. Amit Kumar, Adv.

For the Respondent/s : Mr. Anwar Karim, CGC

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 20-01-2026

Heard the parties.

2. The petitioners having been duly appointed as
Panchayat Teachers/Primary Teachers working in different





schools of different districts, are aggrieved by the inaction of the respondents, who are not extending trained teacher's pay scale to them from the date of passing of their B.Ed or from the date of their appointment as primary teachers, whichever is later, instead of extending the trained teacher's pay scale, after the date of passing six month bridge course.

3. In the aforesaid background, the petitioners have approached this Court by filing the present writ petition(s) for the following reliefs:-

“(i) To issue writ of mandamus directing the respondents to shifting back the date of Trained Teacher's pay scale to the petitioners, from the date of passing B.Ed or from the date of appointment as Primary Teacher whichever is later in stead of since the date of passing 6 month bridge course (11.06.2019).

(ii) To issue writ of mandamus for payment of arrear of difference of salary with statutory interest for delay payment and all other consequential benefits, calculating Service of Petitioners as trained in light of passing B.Ed in passing 6 month bridge place of since date of course (11.06.2019).

(iii) To issue writ of mandamus directing the respondents to grant same and similar relief as provided in case of one similarly appointed Primary Teacher for class 1-5, Mr. Satyendra Kumar Ojha, vide Memo no. 1790, dated 16.10.2024, (Annexure-P/I) in light order passed in CWJC no.9416/2019, relied upon LPA no.1699 of 2013, affirmed by Hon'ble





Apex Court vide S.L.P.(Civil) Diary no.37663/2018.

(iv) To issue any other writ(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

4. Learned Advocate for the petitioners submitted that the issue with regard to extending the trained teacher's pay scale from the date of passing of B.Ed has already been given quietus by the learned Division Bench of this Court in LPA No. 1699 of 2013, the relevant extract of the aforementioned decisions is encapsulated hereinbelow:-

“12 We have considered the matter and the facts, as noted above. Firstly, when the Government took a decision to give training to untrained teachers, which had certain benefits attached to it, then the Government ought to have done it expeditiously and non- arbitrarily. Then why most of the people, except people from Muzaffarpur district, were sent for a one year full time course and then were granted Matric trained scale but Teachers from Muzaffarpur district were not so sent. They had not done anything to disentitle themselves. Similarly, once they completed the two years module with IGNOU, they ought to have been granted Matric trained scale immediately but again matters were delayed. Then, at the instance of NCTE, they were then required to do further six months course. This was delayed for almost three years by the State. In our view, the petitioners/appellants cannot be made to suffer for the fault of the State. We are only reminded what Chief Justice Chagla said





more than half a century back in the case of All India Groundnut Syndicate Limited -Versus- Commissioner of Income Tax, Bombay City, AIR 1954 Bombay 232 :

“But the most surprising contention is put forward by the Department that because their own officer failed to discharge his statutory duty, the assessee is deprived of his right which the law has given to him under sub-section (2) of S 24. In other words, the Department wants to benefit from and wants to take advantage of its own default. It is an elementary principle of law that no person - we take it that the Income-tax Department is included in that definition - can put forward his own default in defence to a right asserted by the other party. A person cannot say that the party claiming the right is deprived of that right because “I have committed a default and the right is lost because of that default.”

13 In order to save injustice and protect the rights of the petitioners/appellants, we would, thus, hold that the judgment of the learned Single Judge would continue to operate. The petitioners/appellants would be entitled to Matric trained scale from the day they completed the two years module. In other words, they would be deemed to be Matric trained teachers from the time the results were declared in respect of the two years course of IGNOU subject to their clearing six months course as later prescribed. They would not be treated as Matric trained either for the purposes of seniority or for financial benefits from the date they finally completed the six months course in the year, 2014 because all that delay was caused by





the State in which petitioners/appellants have no role to play.

14 Thus, this appeal is, accordingly, allowed and the judgment of the learned Single Judge, to the extent above, is explained and modified.”

5. In the light of the aforementioned decisions rendered by the learned Division Bench, one Satyendra Kumar Ojha has also approached this Court by filing CWJC No. 9416 of 2019, which came to be disposed off on 04.03.2024 with a direction to the Director, Primary Education, Department of Human Resource Development, Bihar, Patna to pass a reasoned and speaking order, keeping in mind the judgment passed in LPA No. 1699 of 2013. It is specifically contended that said Satyendra Kumar Ojha has been allowed the benefit of trained pay scale from the date of passing the teachers training examination, as has been prayed for in the present writ petition(s). The batch of the writ petitioners unequivocally submitted that their cases are fully covered with the decisions rendered by the learned Division Bench as well as the learned Single Judge in the case of Satyendra Kumar Ojha.

6. Identical issue has also come up for consideration before this Court in CWJC No. 11300 of 2025, wherein the claim of the identically situated persons have been denied, only on account of they being the teachers of different districts. This





Court has set-aside the impugned order, whereby the claim of the identically situated persons have been denied on account of the aforesaid reason and directed the Director, Primary Education, Government of Bihar to consider the claim of the petitioners for trained pay scale with effect from the date of their appointment in light of the decision rendered by the learned Division Bench in LPA No. 1699 of 2013 and keeping in mind the Bihar State Litigation Policy, 2011; especially Rule 4.C (1) thereof.

7. Learned Advocate for the State submits that since the petitioners have already filed a detailed representation, which are pending before the competent authority, who shall look into the matter and take appropriate decision.

8. Having considered the aforementioned submissions led by learned Advocate for the respective parties instead of keeping the matter pending, this Court deems it fit and proper to dispose off the writ petition with a direction to the Director, Primary Education, Government of Bihar, Patna to consider the representation(s) of the petitioners, preferably within a period of twelve weeks, from the date of receipt/production of a copy of this order. This Court also directs that the petitioners shall also submit fresh representation along with the order of this Court,





within a period of four weeks.

9. On receipt of the representation(s), the respondent no. 3 shall take up the same and pass a reasoned and speaking order, in the light of the above referred decisions passed by the learned Division Bench in LPA No. 1699 of 2013 as well as CWJC No. 9416 of 2019 and CWJC No. 11300 of 2025, including the order contained in Memo No. 1790 dated 16.10.2024, whereby identically situated persons has been allowed the relief, as sought for in the writ petition.

10. The authorities shall also keep in mind the aims and object of the Bihar State Litigation Policy, 2011, especially Rule 4.C (1) thereof.

11. With the aforesaid direction, all the batch of writ petitions stand disposed off.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.01.2026
Transmission Date	NA

