

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 5859 of 2025

1. Vinod Prasad Sah, aged about 69 years, son of Late Narayan Sah, resident of Village- Hasdiha, P.O. & P.S. Hasdiha, District Dumka (Jharkhand).
2. Pramod Prasad Jha, aged about 66 years, son of Late Balkrishna Jha, resident of Village- Oriya, P.O. Oriya, P.S. Barahat, District Banka (Bihar).
3. Janardhan Yadav, @ Janardan Pd. Yadav, aged about 68 years, son of Bharat Prasad Yadav, resident of Village Madhopur, P.O. Gorgamma, P.S. Bounsi, District Banka (Bihar).
4. Nirmal Kumar Sah, aged about 67 years, son of Late Anirudh Prasad Sah, resident of Village Ramla, P.O. Ramna, P.S. Godda (M), District Godda (Jharkhand).
5. Dhananjay Pathak, aged about 68 years, son of Bindeshwari Pathak, resident of Village- Pathargama, P.O. & P.S. Pathargama, District Godda (Jharkhand).
6. Nawal Kishore Jha, aged about 70 years, son of Vishnu Kant Jha, resident of Village Saidapur, P.O. Saidapur, P.S. Godda, District Godda (Jharkhand).
7. Ravindra Sah, aged about 69 years, son of Late Shivnarayan Sah, resident of Village Makdumma, P.O. Makdumma, P.S. Amarpur, District Banka (Bihar).
8. Sri Kant Mandal, aged about 67 years, son of Late Shukdeo Mandal, resident of Village- Korkaghat, P.S. Korkaghat, P.S. Pathargama, District Godda, (Jharkhand).
9. Chandrashekhar Sinha, aged about 69 years, son of Late Shukdeo Ram, resident of Village- Vijay Path 650/1 Castar Town, P.O. & P.S. Deoghar, District Deoghar (Jharkhand).
10. Ashwani Kumar Choudhary, aged about 70 years, son of Late Ramnarayan Choudhary, resident of Kumarpur, P.O. Kumarpur, P.S. Shambhuganj, District Banka (Bihar).
11. Suryanarayan Ram, aged about 77 years, son of Late Gulaki Ram, resident of Shankarpur, P.O. Ishipur, P.S. Mahela, District Godda (Jharkhand).
12. Ram Prasad Mandal, aged about 71 years, son of Udgho Prasad Mandal, resident of Village- Bandri, P.O. Rondhiya, P.S. Sariyahat, District Dumka (Jharkhand).
13. Ashok Kumar, aged about 71 years, son of Late Ram Prasad Mandal, resident of Village Dhodhari, P.O. Ramla, P.S. Godda, District Godda (Jharkhand).
14. Jaykant Sharma, aged about 73 years, son of Late Baikunt Sharma, resident of Village- Saidapur, P.O. Saidapur, P.S. Godda, District Godda (Jharkhand).
15. Balendu Jha, aged about 67 years, son of Late Govind Jha, resident of Village- Chordiha, P.O. Sahara, P.S. Jarmundi, District Dumka (Jharkhand).
16. Braj Kishore Jha, aged about 71 years, son of Late Chedi Prasad Jha, resident of Village- Khadhara, P.O. Khadhara, P.S. Barahat, District Banka (Bihar).

17. Prabodh Kumar Jha, aged about 67 years, son of Late Shashidhar Jha, resident of Village- Mahuadangal, P.O. & P.S. Dumka, District Dumka (Jharkhand).
18. Amrendra Kumar Yadav, aged 66 years, son of Devnand Yadav, resident of Village- Goragamma, P.O. Goragamma, P.S. Amarpur, District Bank (Bihar).
19. Pushpa Devi, aged about 62 years, wife of Late Manoj Kumar Jha, resident of Village- Chordiha, P.O. Sahara, P.S. Jarmundi, District Dumka (Jharkhand).
20. Nandani Devi, aged about 76 years, wife of Late Birendra Kumar Mishra, resident of Village- Nathpur, P.O. Mauwa Uchodi, P.S. Mohanpur, District Purnea (Bihar).
21. Patrani Devi, aged about 69 years, wife of Late Chandrshekhar Jha, resident of Village Gosaigaon, P.O. Gosaigaon, P.S. Gopalpur, District Bhagalpur (Bihar).
22. Mina Devi, aged about 74 years, wife of Late Jagdish Prasad Jha, resident of Village- Motiya, P.O. Motiya, P.S. Godda, District Godda (Jharkhand).
23. Laxmi Kant Mishra, aged about 66 years, son of Mohan Mishra, resident of Village- Chainpur, P.O. & P.S. Kairawani, District Dumka (Jharkhand).
24. Subhash Chandra Thakur, aged about 74 years, son of Late Baldeo Prasad Thakur, resident of Village-Kurua Dudhichak, P.O. Kurua Dudhichak, P.S. Thakurgangti, District Godda (Jharkhand).
25. Kailash Choudhary, aged about 68 years, son of Late Makuli Choudhary, resident of Village- Saidapur, P.O. Saidapur, District Godda (Jharkhand).
26. Mahesh Kant Jha, aged about 63 years, son of Sri Gainalal Jha, resident of Village Saidapur, P.O. Saidapur, P.S. Godda, District Godda (Jharkhand).
27. Hriday Narayan Mandal, aged about 64 years, son of Late Mohan Lal Mandal, resident of Village-Saurpachisa, P.O. Saidapur, P.S. Godda, District Godda (Jharkhand).
28. Mrityunjay Mistri, aged about 64 years, son of Late Fhakhir Mistri, resident of Village- Pasai, P.O. & P.S. Podaiyahat, District Godda (Jharkhand).
29. Kanti Prasad Sah, aged about 70 years, son of Biranchi Sah, resident of Village- Saidapur, P.O. Saidapur, P.S. Godda, District Godda (Jharkhand).
30. Jagdish Prasad Mandal, aged about 71 years, son of Shaligram Mandal, resident of Village- Dhanwai, P.O. Dhanwai, P.S. Hansdiha, (Jharkhand). District Dumka
31. Babunandan Pandit, aged about 64 years, son of Late Prithvi Chand Pandit, resident of Village- Bihpur, P.O. & P.S. Bihpur, District Bhagalpur (Bihar).
32. Anantram Mandal, aged about 66 years, son of Late Chandrika Mandal, resident of Village & P.O- Sondiha Babhangama, P.S. Barahat, District Banka (Bihar).
33. Dinesh Prasad Mandal, aged about 68 years, son of Late Ramtahal Mandal, resident of Village Dhanwai, P.O. Dhanwai, P.S. Hansdiha, District Dumka (Jharkhand).
34. Indu Prasad Yadav, aged about 69 years, son of Late Lakhan Yadav, resident of Village- Kathchatar, P.O. Lilatari, P.S.

- Rajoun, District Banka (Bihar).
35. Uttam Rout, aged about 72 years, son of Late Shilu Siyar, resident of Village Bahoriya, P.O. Amlo, P.S. Godda, District Godda (Jharkhand).
36. Parshuram Panjiyara, aged about 64 years, son of Late Ganesh of Village-resident Panjiyara, Jasmatpur, P.O. & P.S. Khatnai, District Godda (Jharkhand).
37. Aasha Devi, aged about 73 years, wife of Late Ram Mandal, resident of Village Khurhari, P.O. Kalyanchak, P.S. Rajmahal, District Sahibganj (Jharkhand). **... ... Petitioner(s)**
- Versus
1. The State of Jharkhand.
2. The Secretary, Department of School Education and Literacy, Government of Jharkhand, Project Building, P.O. & P.S. Dhurwa, District Ranchi.
3. The Director, Primary Education, Department of School Education and Literacy, Government of Jharkhand, Project Building, P.O. & P.S. Dhurwa, District Ranchi.
- Respondent(s)**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Rajiv Ranjan Mishra, Advocate
Mr. Sudarshan Singh, Advocate

For the Respondent(s) : Mr. Sachin Kumar, Advocate

03/ 29th October, 2025

1. Heard the parties.
2. It is the case of the petitioners that the petitioners or their deceased husbands / fathers are entitled to get notional benefit of Grade-I Pay, from the date of their initial appointments.
3. Learned counsel representing the petitioners submits that the issue has already been set at rest by order passed in W.P.(S) No.2589 of 2020 (***Sudhir Narayan Dwary & Ors. Vs. The State of Jharkhand & Ors.***) and other Analogues cases by this High Court and upheld by the Hon'ble Supreme Court of India. He submits that it has been held that the clause which prohibited the retired and deceased employees to get the said benefits, has been struck down. His grievance is that in spite of the aforesaid order, the teachers or their legal heirs are forced to approach this Court seeking the same benefits.
4. Learned counsel representing the respondent-State submits that if the petitioners file a fresh representation, their case will be considered and an appropriate order would be passed

considering the judgment passed by this Court and the Hon'ble Apex Court.

5. Considering the aforesaid submission, I direct the petitioners to file a detailed representation before their respective District Superintendent of Educations, annexing all the documents which they rely upon including the judgments passed by this Court and the orders passed in case of the similarly situated person.

6. The representation must be filed within a period of four weeks. If such representations are filed, the concerned respondents will consider the case of the individually petitioners within six weeks from the date of receipt of copy of the order along with the representation. If the petitioners are entitled for any benefit, the same should be extended within a period of four weeks thereafter.

7. If any adverse order is passed against the claim /representation of the petitioners, the same should be communicated to the petitioners within the aforesaid time.

8. The entire process must be concluded within a period of sixteen weeks from the date of receipt of copy of this order.

9. It is expected that the Director, Primary Education, School Education & Literacy, Government of Jharkhand, will look into this issue and if the decision of this Court in W.P.(S) No.2589 of 2020 (***Sudhir Narayan Dwary & Ors. Vs. The State of Jharkhand & Ors.***) and other Analogues cases, is *in rem*, he should ensure that all the similarly situated persons will get the same benefits without they being forced to approach this Court.

10. With the aforesaid observation and direction, this writ petition stands **disposed of**.

11. Let a copy of this order be sent to the Director, Primary Education, School Education & Literacy, Government of Jharkhand.

12. IA No.10175 of 2025 (seeking exemption from filing deficit court fees) has become infructuous as individual Court fees has been paid the petitioners. Thus, the instant interlocutory application is dismissed as infructuous.

(ANANDA SEN, J.)