

ITEM NO.17

COURT NO.11

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 14970/2019

(Arising out of impugned final judgment and order dated 14-09-2016 in LPA No. 931/2015 passed by the High Court Of Judicature At Patna)

RAJU KUMAR SINGH & ORS.

PETITIONER(S)

VERSUS

STATE OF BIHAR & ORS.

RESPONDENT(S)

(IA No. 2/2017 - for impleadment)

Date : 05-09-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s) Mr. Rakesh Uttamchandra Upadhyay, AOR
Ms. Aarti U.mishra, Adv.
Mr. Harsh Som, Adv.

For Respondent(s)

Mr. Samir Ali Khan, AOR
Mr. Pranjal Sharma, Adv.

UPON hearing the counsel, the Court made the following
O R D E R

1. Notice was issued in the present petition on 02nd July, 2019. The controversy in the present matter is similar to that raised in the petitions for Special Leave to Appeal (Civil) Nos.31158-31159 of 2013, titled 'Mukesh & Anr. Vs. State of Bihar & Ors.'

2. Much water has flown under the bridge thereafter. The captioned

petitions converted into Civil Appeals No. 4776-4777 of 2017, were decided by this Court on 03rd April, 2017. The operative paragraph of the said order is reproduced herein below:

4. For the foregoing reasons, we direct that the Appellants who were recommended for appointment to Class III or Class IV posts prior to 01.07.2006 will either be appointed on Class III or Class IV posts on regular basis or will be entitled for continuance as Teachers on a regular pay scale. The other Appellants who were appointed after 01.07.2006 will not be entitled for the relief of regular pay scales. However, we grant them liberty to approach the State Government for suitable relief in terms of the order passed in SLP (C) No.29655 of 2010.

3. Learned counsel for the petitioners concedes that the petitioners fall in the category of those appointed post 01st July, 2006. As a result, the petitioners will not be entitled to the relief of regular pay scales.

4. The present petition is disposed of in terms of the aforesaid order along with pending application(s).

(POOJA SHARMA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)