
(2025) 08 JH CK 0808
In the Jharkhand High Court
Case No : W.P.(S) No.3616 Of 2025

Triveni Prasad Shahi

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 12-08-2025

Acts Referred:

Citation : (2025) 08 JH CK 0808

Hon'ble Judges : Ananda Sen, J

Bench : Single Bench

Advocate : Arvind Kumar Choudhary, Ashwini Bhushan

Final Decision : Disposed Of

Judgement

Ananda Sen, J

1. Heard learned counsel representing the petitioners and learned counsel representing the respondents.
2. It is the case of the petitioners that the petitioners or their deceased husbands / fathers are entitled to get the notional benefit of Grade-I Pay, from the date of appointment.
3. Learned counsel representing the petitioners submits that the issue has already been set at rest by several judgments of this

Court and ultimately it has been held that the clause which prohibited the retired and deceased employees to get the said benefits, has been struck down. He submits that the effect of striking down the said clause is that all the employees be they superannuated or deceased, are entitled to get the notional benefit of Grade-I Pay. He submits that the respondents are now extending the benefits to only those persons who are approaching this Court. He further submits that the petitioners have filed representations before the Authority concerned, but no decision has yet been taken.

4. Learned counsel representing the respondent-State submits that if the petitioners file fresh individual representation annexing the judgments of the High Court, their case will be considered.
5. Considering the aforesaid submission, I direct the petitioners to file their detailed representation before the District Superintendent of Education, Deoghar, annexing all the documents which they rely upon including the judgments passed by this Court and also the orders by which similarly situated persons have been extended the benefits by the respondents.
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 petitioners within six weeks thereafter.
7. If any adverse order is passed against the claim / representation of the petitioners, the reasons thereof should be communicated to the petitioners.
8. The entire process must be concluded within twelve weeks from the date of receipt of copy of this order along with the representations of the petitioners.
9. Before parting, I direct the Director, Primary Education, School Education & Literacy, Government of Jharkhand, to 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 directions, 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.