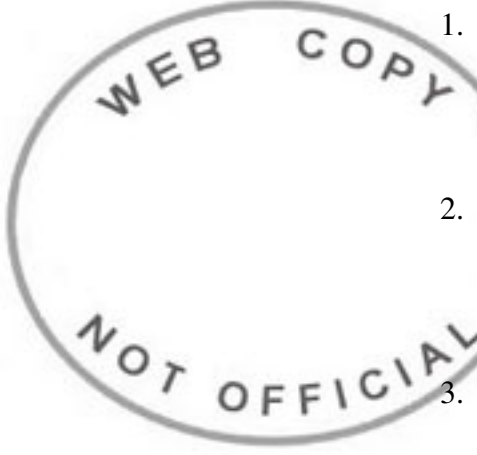


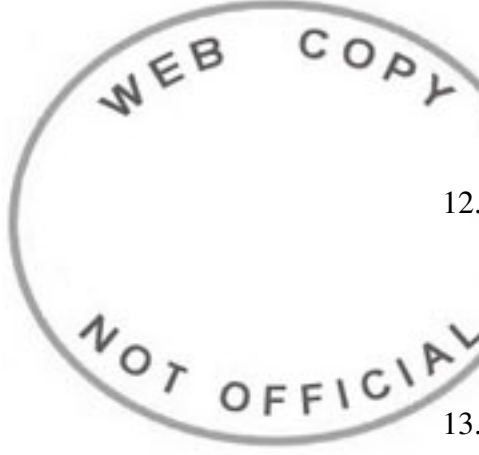
IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21984 of 2013

- =====
1. Dr. Mithilesh Choubey Son Of Late Parshuram Choubey Resident Of Village And Post - Mahabalipur, P.S. Paliganj, District - Patna, Present Working As Principal, Lecturer In Sahitya, Lecturer In Hindi (M.A.), Clerk And Orderly Respectively In Mukhlal Sanskrit Upshastri College, Bandhuchapra, District - Bhojpur
 2. Narhari Tiwari Son Of Late Kameshwar Tiwari Resident Of Village - Nawahi, P.O. Tiskhora, P.S. Nauwaturpur, District - Patna, Present Working As Principal, Lecturer In Sahitya, Lecturer In Hindi (M.A.), Clerk And Orderly Respectively In Mukhlal Sanskrit Upshastri College, Bandhuchapra, District - Bhojpur
 3. Sudama Pandey Son Of Sri Shiv Mangal Pandey Resident Of Village And P.O. Rama Kharha, P.S. Sandesh, District - Bhojpur, Present Working As Principal, Lecturer In Sahitya, Lecturer In Hindi (M.A.), Clerk And Orderly Respectively In Mukhlal Sanskrit Upshastri College, Bandhuchapra, District - Bhojpur
 4. Ghuran Mishra Son Of Late Nunu Mishra Resident Of Village And Post - Kharajpur, P.S. Bahadurpur, District - Darbhanga, Present Working As Principal, Lecturer In Sahitya, Lecturer In Hindi (M.A.), Clerk And Orderly Respectively In Mukhlal Sanskrit Upshastri College, Bandhuchapra, District - Bhojpur
 5. Om Prakash Singh Son Of Late Rajeshwar Singh Resident Of Village And Post - Atarsan, P.S. Rasulpur, District - Saran, Present Working As Principal, Lecturer In Sahitya, Lecturer In Hindi (M.A.), Clerk And Orderly Respectively In Mukhlal Sanskrit Upshastri College, Bandhuchapra, District - Bhojpur
 6. Pramod Kumar Tiwari Son Of Late Duna Nath Tiwari Resident Of Village - Nawada, P.O. Madhepur, District - Madhubani, Present Working As Principal, Lecturer In Sahitya, Lecturer In Hindi (M.A.), Clerk And Orderly Respectively In Mukhlal Sanskrit Upshastri College, Bandhuchapra, District - Bhojpur
 7. Santosh Kumar Son Of Sri Saurya Kumar Resident Of Village - Raghapur (Mouwar Colony), P.O. And P.S. Bihta, District - Patna, Present Working As Principal, Lecturer In Sahitya, Lecturer In Hindi (M.A.), Clerk And Orderly Respectively In Mukhlal Sanskrit Upshastri College, Bandhuchapra, District - Bhojpur
 8. Shatrughna Singh Son Of Late Ram Lakhan Singh Resident Of Village - Bishunpur, P.O. Bandhuchapra, P.S. Barhara, District - Bhojpur, Present Working As Principal, Lecturer In Sahitya, Lecturer In Hindi (M.A.), Clerk And Orderly Respectively In Mukhlal Sanskrit Upshastri College, Bandhuchapra, District - Bhojpur
 9. Shailesh Kumar Son Of Ras Bihari Kumar Resident Of Village And Post - Derni, Via Dighwara, District - Saran, Present Working As Principal, Lecturer In Sahitya, Lecturer In Hindi (M.A.), Clerk And Orderly Respectively In Mukhlal Sanskrit Upshastri College, Bandhuchapra, District - Bhojpur
 10. Dr. Gunanand Jha Son Of Pandit Shashinath Jha Resident Of Village And Post - Vishwanathpur Tarauni, P.S. Bahera, District - Darbhanga, Present Working As Incharge Principal, Lecturer In Sahitya, Lecturer In Modern Subject (M.A.), Lecturer On M.A. Post, Lecturer In



Mathematics, Peon Respectively In Sarvajeet Sanskrit Up - Shastri Mahavidyalaya, Lahata, P.S. Manigachhi, District - Darbhanga

11. Dr. Sushil Kant Mishra Son Of Sri Makundeo Mishra Resident Of Village And Post - Jaideopatti, P.S. Ghanshyampur, District - Darbhanga, , Present Working As Incharge Principal, Lectuer In Sahitya, Lecturer In Modern Subject (M.A.), Lecturer On M.A. Post, Lecturer In Mathematics, Peon Respectively In Sarvajeet Sanskrit Up - Shastri Mahavidyalaya, Lahata, P.S. Manigachhi, District - Darbhanga
12. Dinesh Jha Son Of Sri Mahavir Jha Resident Of Village And Post - Lahta, P.S. Manigachi, District - Darbhanga, , Present Working As Incharge Principal, Lectuer In Sahitya, Lecturer In Modern Subject (M.A.), Lecturer On M.A. Post, Lecturer In Mathematics, Peon Respectively In Sarvajeet Sanskrit Up - Shastri Mahavidyalaya, Lahata, P.S. Manigachhi, District - Darbhanga
13. Ramesh Chandra Jha Son Of Late Kamala Kant Jha Resident Of Village And Post - Lahata, P.S. Manigachi, District - Darbhanga, , Present Working As Incharge Principal, Lectuer In Sahitya, Lecturer In Modern Subject (M.A.), Lecturer On M.A. Post, Lecturer In Mathematics, Peon Respectively In Sarvajeet Sanskrit Up - Shastri Mahavidyalaya, Lahata, P.S. Manigachhi, District - Darbhanga
14. Ram Ballabh Jha Son Of Late Surati Lal Jha Resident Of Village And Post - Lahta, P.S. Manigachi, District - Darbhanga, , Present Working As Incharge Principal, Lectuer In Sahitya, Lecturer In Modern Subject (M.A.), Lecturer On M.A. Post, Lecturer In Mathematics, Peon Respectively In Sarvajeet Sanskrit Up - Shastri Mahavidyalaya, Lahata, P.S. Manigachhi, District - Darbhanga
15. Shobha Kant Poddar Son Of Late Tej Narayan Poddar Resident Of Village And Post - Lahta, P.S. Manigachhi, District - Darbhanga, , Present Working As Incharge Principal, Lectuer In Sahitya, Lecturer In Modern Subject (M.A.), Lecturer On M.A. Post, Lecturer In Mathematics, Peon Respectively In Sarvajeet Sanskrit Up - Shastri Mahavidyalaya, Lahata, P.S. Manigachhi, District - Darbhanga
16. Babu Kant Jha Son Of Late Thakkan Jha Resident Of Village And Post - Lahta, P.S. Manigachhi, District - Darbhanga, Retired From The Post Of M.A. Lecturer On 31.7.2009 From Sarvajeet Sanskrit Up - Shastri Mahavidyalaya, Lahata, P.S. Manigachhi, District - Darbhanga
17. Satish Chandra Jha Son Of Sri Shiva Chandra Jha Resident Of Village - Ramauli, P.S. Bahera, District - Darbhanga, Present Working As In Charge Principal, Lecturer, Lecturer, Lecturer, Clerk Cum Typist, Orderly And Night Guard Respectively In Laxmiwati Sanskrit Mahavidyalaya, Sarisab - Pahi, District - Madhubani
18. Lalan Chaudhary Son Of Sri Mahavir Chaudhary Resident Of Village - Lohna (East), P.S. Bhairavsthan, District - Madhubani, Present Working As In Charge Principal, Lecturer, Lecturer, Lecturer, Clerk Cum Typist, Orderly And Night Guard Respectively In Laxmiwati Sanskrit Mahavidyalaya, Sarisab - Pahi, District - Madhubani
19. Tej Narayan Jha Son Of Sri Narayan Jha Resident Of Village - Uchhati, P.S. Biraul, District - Darbhanga, Present Working As In Charge Principal, Lecturer, Lecturer, Lecturer, Clerk Cum Typist, Orderly And Night Guard Respectively In Laxmiwati Sanskrit Mahavidyalaya, Sarisab - Pahi, District - Madhubani
20. Vishwanath Jha Son Of Late Amarnath Jha Resident Of Village -



Isahpur, P.O. Sankorth, P.S. Pandaul, District - Madhubani, Present Working As In Charge Principal, Lecturer, Lecturer, Lecturer, Clerk Cum Typist, Orderly And Night Guard Respectively In Laxmiwati Sanskrit Mahavidyalaya, Sarisab - Pahi, District - Madhubani

21. Bishnudeo Jha Son Of Late Hari Kishore Jha Resident Of Village Hanuman Nagar, P.O. Bhour, P.S. Pandaul, District - Madhubani, Present Working As In Charge Principal, Lecturer, Lecturer, Lecturer, Clerk Cum Typist, Orderly And Night Guard Respectively In Laxmiwati Sanskrit Mahavidyalaya, Sarisab - Pahi, District - Madhubani

22. Pawan Kumar Das Son Of Late Bhagwat Das Resident Of Village - Serma, P.S. Rahika, District - Madhubani, Present Working As In Charge Principal, Lecturer, Lecturer, Lecturer, Clerk Cum Typist, Orderly And Night Guard Respectively In Laxmiwati Sanskrit Mahavidyalaya, Sarisab - Pahi, District - Madhubani

23. Ram Chandra Jha Son Of Late Jainath Jha Resident Of Village - Sarisab, P.S. Pandaul, District - Madhubani, Present Working As In Charge Principal, Lecturer, Lecturer, Lecturer, Clerk Cum Typist, Orderly And Night Guard Respectively In Laxmiwati Sanskrit Mahavidyalaya, Sarisab - Pahi, District - Madhubani

24. Ganesh Thakur Son Of Late Bisheshwar Thakur Resident Of Village - Sarisab, P.S. Pandaul, District - Madhubani, Present Working As In Charge Principal, Lecturer, Lecturer, Lecturer, Clerk Cum Typist, Orderly And Night Guard Respectively In Laxmiwati Sanskrit Mahavidyalaya, Sarisab - Pahi, District - Madhubani

.. Petitioners

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga, Through Its Registrar, Kameshwar Nagar, Darbhanga
2. Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
4. Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
5. The State Of Bihar Through Principal Secretary, Education Department, New Secretariat, Patna.

.... Respondents

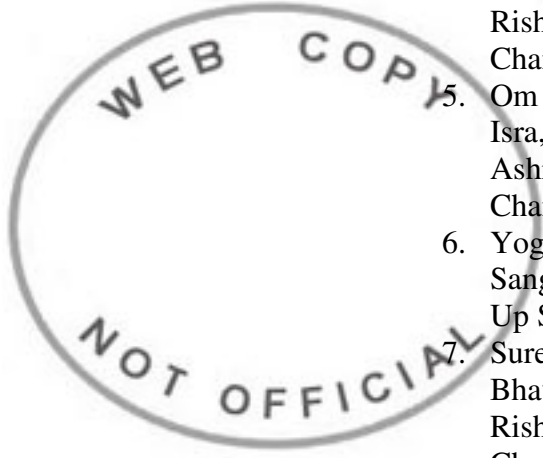
with

Civil Writ Jurisdiction Case No.22369 of 2013

1. Ravindra Nath Tiwari S/O Late Sampat Kumar Tiwari R/O Village Manpur Mathia, P.S. Badhuakia, District- West Champaran. Lecturer In Rishikul Ashram Sanskari Up Shastri College, Sangrampur, Distt. East Champaran
2. Dinesh Mishra S/O Sri Prajapati Mishra Resident Of Village Sukhman, P.S. Bagha, Distt. West Champaran. Lecturer In Rishikul Ashram Sanskari Up Shastri College, Sangrampur, Distt. East Champaran
3. Chandrabhushan Mishra S/O Late Shambhu Mishra Resident Of Village Magurahan, P.S. Gobindganj, Distt. East Champaran. Lecturer In Rishikul Ashram Sanskari Up Shastri College, Sangrampur, Distt. East

Champanan

4. Surya Narayan Dubey S/O Late Ram Chandra Dubey Resident Of Village Mananpur, P.S. Gobindganj, Distt. East Champaran. Lecturer In Rishikul Ashram Sanskari Up Shastry College, Sangrampur, Distt. East Champaran
5. Om Prakash Mishra Son Of Late Raghubir Mishra Resident Of Village Isra, P.S. Sangrampur, Distt. East Champaran. Clerk In Rishikul Ashram Sanskari Up Shastry College, Sangrampur, Distt. East Champaran
6. Yogendra Sah S/O Late Adalat Sah Resident Of Village And P.S. Sangrampur, Distt. East Champaran. Peon In Rishikul Ashram Sanskari Up Shastry College, Sangrampur, Distt. East Champaran
7. Surendra Tiwari S/O Late Jang Bahadur Tiwari Resident Of Village Bhawanipur, P.S. Sangrampur, Distt. East Champaran. Lecturer In Rishikul Ashram Sanskari Up Shastry College, Sangrampur, Distt. East Champaran
8. Surendra Nath Dwivedi S/O Late Paras Nath Dwivedi Resident Of Village Lakhraun, P.S. Kataiya, Distt. Gopalganj. Lecturer In Rishikul Ashram Sanskari Up Shastry College, Sangrampur, Distt. East Champaran
9. Ram Naresh Pandey S/O Late Suraj Pandey Resident Of Village And P.S. Sangrampur, Distt. East Champaran. Major Ground In Rishikul Ashram Sanskari Up Shastry College, Sangrampur, Distt. East Champaran
10. Jagdish Prasad Rai S/O Late Gaya Rai Resident Of Village Truan, P.S. Nasriganj, Distt. Rohtas. Lecturer Of Dev Bharti Sanskrit Upshastri College, Uchirma (Cherki) Gaya
11. Shyam Kishore S/O Sri Kamal Kishore Resident Of Village Rukunpura, P.S. Paliganj, Distt. Patna. Lecturer Of Dev Bharti Sanskrit Upshastri College, Uchirma (Cherki) Gaya
12. Sushila Kumari D/O Satyanarayan Prasad Singh Resident Of Village Devnagar, P.S. Sherghati, Distt. Gaya. Lecturer Of Dev Bharti Sanskrit Upshastri College, Uchirma (Cherki) Gaya
13. Kamal Nayan Sharma S/O Late Sukhdev Sharma Resident Of Village Ratanpur, P.S. Daudnagar, Distt. Aurangabad. Principal Of Dev Bharti Sanskrit Upshastri College, Uchirma (Cherki) Gaya
14. Ram Dayal Sharma S/O Murli Manohar Sharma Resident Of Village Siastabad, P.S. Ghosi, Distt. Jehanabad. Lecturer Of Dev Bharti Sanskrit Upshastri College, Uchirma (Cherki) Gaya
15. Ramesh Kumar S/O Late Madheswar Sharma Resident Of Village Noama, P.S. Shakurabad, Distt. Jehanabad. Lecturer Of Dev Bharti Sanskrit Upshastri College, Uchirma (Cherki) Gaya
16. Awadhesh Kumar S/O Sri Umesh Sharma Resident Of Village Kanauli, P.S. Ghosi, Distt. Jehanabad. Clerk Of Dev Bharti Sanskrit Upshastri College, Uchirma (Cherki) Gaya
17. Kishori Parsar Singh S/O Ram Dayal Singh Resident Of Village Bhauri, P.S. Tekari, Distt. Gaya
18. Satyendra Sharma S/O Jagnarayan Sharma Resident Of Village Ikkil, P.S. Shakurabad, Distt. Jehanabad
19. Nawal Kishore Prasad Singh S/O Sri Jagdish Singh Resident Of Village Devnagar, P.S. Sherghati, Distt. Gaya
20. Ramji Sharma S/O Sri Prasidh Sharma Resident Of Village Kasturipur,



P.O. Khudma, Distt. Aurangabad

21. Vijay Ram S/O Yogeshwar Ram Resident Of Village Kasturipur, P.O. Khudma, Distt. Aurangabad
22. Sri Prakash Nath Tiwari S/O Kasi Nath Tiwari Resident Of Village Amwa Majhar, P.S. Mufassil Bettiah, Distt. West Champaran. Lecturer In Janki Sanskrit Upshastri College, Narkatiaganj, West Champaran
23. Nageshwar Pandey S/O Late Kamla Pandey Resident Of Village Chandisthan, P.S. Gobindganj, Distt. East Champaran. Clerk In Janki Sanskrit Upshastri College, Narkatiaganj, West Champaran
24. Mangru Mahto S/O..... Resident Of Village Block Road, P.S. Narkatiaganj, Distt. West Champaran. Peon In Janki Sanskrit Upshastri College, Narkatiaganj, West Champaran
25. Jamadar Mishra S/O Rohan Mishra Resident Of Village Daunwar, P.S. Jogapatti, Distt. West Champaran. Lecturer In Janki Sanskrit Upshastri College, Narkatiaganj, West Champaran
26. Jai Narayan Choudhary S/O Late Rajeshwar Choudhary Resident Of Village Majhaura, P.S. Sadar, Distt. Darbhanga. Lecturer In Janki Sanskrit Upshastri College, Narkatiaganj, West Champaran
27. Brij Nandan Ojha S/O Late Triloki Nath Ojha Resident Of Village Marichriya, P.S. Shikarpur, Distt. West Champaran. Lecturer In Janki Sanskrit Upshastri College, Narkatiaganj, West Champaran
28. Dinanath Jha S/O Ram Nath Jha Resident Of Village Marar, P.O. Jitwarpur, Distt. Madhubani. Lecturer, Anant Lal Sarvajanik Sanskrit Upshastri College, Jamua Khabgrah (Araria)
29. Tara Nand Mishra S/O Late Gokula Nand Mishra Resident Of Village Khabhgrah, P.O. Jamua, Distt. Araria. Lecturer, Anant Lal Sarvajanik Sanskrit Upshastri College, Jamua Khabgrah (Araria)
30. Vijay Kumar Jha S/O Late Laxmikant Jha Resident Of Village Khabhgrah, P.O. Jamua, Distt. Araria. Lecturer, Anant Lal Sarvajanik Sanskrit Upshastri College, Jamua Khabgrah (Araria)
31. Vishwa Nath Mishra S/O Late Shuk Dev Mishra Resident Of Village Belwari, P.S. Jamua, Distt. Araria. Lecturer, Anant Lal Sarvajanik Sanskrit Upshastri College, Jamua Khabgrah (Araria)
32. Kripa Nand Mishra S/O Late Bhup Narayan Mishra Resident Of Village P.O. Jamua, Distt. Araria. Lecturer, Anant Lal Sarvajanik Sanskrit Upshastri College, Jamua Khabgrah (Araria)
33. Vishwanath Mishra S/O Krishna Dev Mishra Resident Of Village Dhangri, P.S. Bardaha, Distt. Araria
34. Sri Kant Jha S/O Late Mahavir Jha Resident Of Vill. + P.O. Jamua, Distt. Araria
35. Shiv Narayan Jha S/O Devdhar Jha Resident Of Vill. Khabhgrah P.O. Jamua, Distt. Araria
36. Parmanand Jha S/O Late Vasudev Jha Resident Of Vill. + P.O. Jamua, Distt. Araria
37. Bhrigunandan Sharma S/O Late Chandeshwar Sharma Resident Of Village Bhauri, P.S. Tekari, Distt. Gaya. Principal In Sanskrit Upshastri College, Hardwan, Distt. Gaya
38. Sajjan Mishra S/O Rajkeshwar Mishra Resident Of Village Suggi, P.S. Huntarganj, Dist. Chatra. Lecturer In Sanskrit Upshastri College, Hardwan, Distt. Gaya
39. Ramesh Prasad S/O Matukdhari Prasad Resident Of Village Sadwan, P.S. Dobhi, Distt. Gaya. Lecturer In Sanskrit Upshastri College,



Hardwan, Distt. Gaya

40. Krishna Singh S/O Late Badri Singh Resident Of Village Hardawan, P.S. Dobhi, Distt. Gaya. Lecturer In Sanskrit Upshastri College, Hardwan, Distt. Gaya
41. Ramvilas Mishra S/O Late Yogyadutt Mishra Resident Of Village Suggi, P.S. Huntarganj, Dist. Chatra. Lecturer In Sanskrit Upshastri College, Hardwan, Distt. Gaya
42. Rajendra Kumar Prasad S/O Bhawar Lal Resident Of Village Hardwan, P.S. Dobhi, Distt. Gaya. Clerk In Sanskrit Upshastri College, Hardwan, Distt. Gaya
43. Dil Chandra Mahto S/O Late Shibu Mahto Resident Of Village Hardwan P.S. Dobhi, Distt. Gaya. Peon in Sanskrit Upshastri College, Hardwan, Distt. Gaya
44. Sita Ram Yadav S/O Bikari Yadav Resident of Village Hardwan P.S. Dobhi, Distt. Gaya. Night Guard in Sanskrit Upshastri College, Hardwan, Distt. Gaya.

.... Petitioners

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Development, Bihar, Patna
3. The Director, Higher Education, Human Resources Department, Bihar, Patna
4. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga, Through Its Registrar
5. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga

.... Respondents

Appearance :

(In CWJC No.21984 of 2013)

For the Petitioner/s : Mr. Durga Nand Jha, Advocate
 For the Respondent/s : Mr. Shyam Kishor Sharma
 For the University : Mr. Awadhesh Prasad Sinha, Advocate

(In CWJC No.22369 of 2013)

For the Petitioner/s : Mr. Tara Nath Jha, Advocate
 For the Respondent/s : Mr. Roy Shivaji Nath, AAG-3
 : Ms. Divya Verma, AC to AAG-3
 For the University : Mr. Gyanand Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

6 29-09-2015

Heard learned counsel for the petitioners and the respondents.

Both the cases are being taken up together and are

being disposed of by a common order, as the issues involved are substantially same.

The 24 petitioners of C.W.J.C. No. 21984 of 2013 and 44 petitioners of C.W.J.C. No. 22369 of 2013 are seeking direction to the respondents to grant them revised pay scale w.e.f. 01.01.2006 in view of recommendation of the 6th Pay Revision Commission Report.

All the petitioners are working in different colleges under Kameshwar Singh Darbhanga Sanskrit University (hereinafter referred to as 'the KSDS University').

The grievance of the petitioners is that though 6th Pay Revision Commission Report has been implemented in other Universities, but no effective measures have been taken for its implementation in the KSDS University.

The entitlement of the petitioners to the revision of pay in view of 6th Pay Revision Commission Report is not denied by the respondents.

Counsel for the University submits that as soon as they receive the allocation from the Government, they would forthwith implement the revision in the pay scale.

A supplementary Counter Affidavit has been filed on behalf of State C.W.J.C. No. 22369 of 2013.



It is a common plea in both the counter affidavits that proposal for implementation of 6th Pay Revision Commission Report w.e.f. 01.01.2006 to the employees of the Colleges was sent to the Finance Department on 31.01.2012. The Finance Department returned the record on 12.03.2012 with certain queries. However, the concerned file was not traceable and an information to the aforesaid effect was given to Officer-in-charge of Sachivalaya police station on 26.09.2012. The reconstructed file has again been sent to the Finance Department after meeting the queries on 15.09.2015. It is further stated in paragraph 12 of the supplementary counter affidavit filed in C.W.J.C. No. 22369 of 2013 that soon after approval of the proposal, the necessary notification regarding implementation of 6th Pay Revision Commission Report would be issued by the Education Department.

As the revision of pay is pending implementation since a long time, it is believed that the Finance Department would accord necessary approval within four weeks from the date of receipt of a copy of this order, whereafter the whole process must be completed within a period of four months, after following due procedure in accordance with law.

With the aforesaid directions, both the writ

applications are disposed of.

Uday/-

(Samarendra Pratap Singh, J.)

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