

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2977 of 2016

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1. Rajesh Kumar son of Sri Dinesh Sharma, resident of village and Post- Mussi, P.S.- Tekari, Distt- Gaya
2. Ram Chandra Singh, son of Sri Ramswaroop Singh, Resident of Mohalla- North Lakhibagh, Janakpur, P.S.- Muffasil, Distt.- Gaya both at present working as Assistant teachers in Prathmik Unit of Rajendra Sanskrit Primary Cum high School Manpur, Gaya

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Human Resources Development Department, New Secretariat, Patna, Bihar
2. The Additional Secretary, Govt. of Bihar Human Resources Development Department, (Secondary, Primary and Adult Education), New Secretariat, Patna
3. The Special Director, Secondary cum-Sanskrit Education, New Secretariat, Patna
4. The Chairman, Bihar Sanskrit Siksha Board, Boring Canal Road, Patna
5. The Secretary ,Finance Department Bihar, Patna
6. The Secretary, Bihar Sanskrit Siksha Board, Boring Canal Road, Patna
7. The District Education Officer, Gaya
8. The District Programme Officer, (Establishment), Gaya

.... Respondent/s

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Appearance :

For the Petitioners : Mr. Binod Kumar, Advocate

For the State : Mr. Amish Kumar, AC to AAG 8

For the Board : Mr. S. S. Sundaram, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 17-03-2017

Heard learned counsel for the petitioners, State and the
Bihar Sanskrit Shikhsa Board.



The petitioners claim to have been continuing till date as Assistant Teachers in Primary Unit of Sri Rajendra Sanskrit Primary-cum-High School, Manpur, Gaya.

Learned counsel for the petitioners submitted that after 30.06.1992, their salary has not been paid, though they were duly appointed and approved by the Bihar Sanskrit Shiksha Board (hereinafter referred to as the 'Board'). Learned counsel submitted that in various writ petitions filed by other similarly situated persons, the Court has directed for such payment. He has also relied upon the decisions rendered in C.W.J.C. No. 216 of 1998 and analogous cases and C.W.J.C. No. 7729 of 1998 as well as C.W.J.C. No. 12887 of 2008, C.W.J.C. No. 4795 of 2014 and C.W.J.C. No. 11303 of 2016.

Though learned counsel for the State as well as the Board were given time to seek instructions on 23.02.2017 but the same has not been received by them.

Be that as it may, the present is a pure money claim and only on the ground that the cause of action arose in the year 1992 and the writ petition has been filed in the year 2016, in the opinion of this Court, no positive order can be passed in favour of the petitioners. However, what has been submitted by learned counsel for the petitioners that their case is covered by the aforesaid decisions of co-ordinate Benches of this Court as well as the fact that the



representation filed on 04.01.2016 by the petitioners is pending before the official respondents, seeking such relief, the writ petition stands disposed off directing the concerned respondents to dispose off such representation within two months from the date of production of a copy of this order before them.

(Ahsanuddin Amanullah, J)

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