

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24698 of 2019

1. Dr. Satish Chandra Mishra Son of Late Bhagirath Nath Mishra Resident of Village- Rawaich, P.O. and P.S.- Bakhtiyarpur, District- Patna.
2. Jhumlal Prasad Singh Son of Sakaldeep Rai Resident of Naya Tola, Dedaur, P.S.- Bakhtiyarpur.
3. Shivrtna Pandey Son of Late Ramyatna Pandey Resident of Village- Sartha, P.O.- Chandi, District- Nalanda.
4. Vishwanath Prasad Son of Late Sanichar Ram Resident of Naya Tola, Madhopur, P.S.- Bakhtiyarpur, District- Patna.
5. Rup Narayan Singh Son of Late Baijnath Singh Resident of Ptambar Nagar, at and P.S.- Bihata, District- Patna.
6. Ram Pukar Tiwari Son of Gauri Shankar Tiwari Resident of Village and P.O.- Sonpura, Via- Kasai, P.S.- Udwant Nagar, District- Bhojpur.
7. Bhanu Pratap Pandey Son of Sri Sidheshwar Pandey Resident of Village- Kachhiawan, P.S.- Nagarnausa, District- Nalanda.
8. Braj Nandan Prasad Son of Late Ragho Prasad Resident of Village- Jaswantpur, P.O.- Rukhai, P.S.- Chandi, District- Nalanda.
9. Dhruvdeo Mishra Son of Dip Narayan Mishra Resident of Chowkshikarpur, Kahar Toli near Mahaveer Asthan P.S.- Sampat Chak, District- Patna.
10. Anand Kumar Mishra Son of Late Jogeshwar Mishra Resident of Kila Road, Guru Govind Singh College, Jhauganj, Nagal, Patna City, District- Patna.
11. Kumudini Rani Wife of Braj Bhushan Mishra Resident of Jangali Prasad Lane, Begumpur, Chowk Shikarpur, Patna City, District- Patna.
12. Chandra Sekhar Pandey Son of Late Bishwanath Pandey Resident of 124 Bhaisani Tola, Bari Bagicha, Sampat chak, Begumpur, District- Patna.
13. Ramakant Mishra Son of Late Saryug Mishra Resident of Village- Kandaul, P.S.- Hulasganj, District- Jehanabad.
14. Ganga Yadav Son of Late karu Yadav Resident of Malahchak, Bauri, District- Jehanabad.
15. Rajendra Prasad Son of Meghu Prasad Singh Resident of Mandachh, Mandachh, District- Nalanda.
16. Mohan Mishra Son of Late Chandra Sekhar Mishra Resident of Kandaul, P.S.- Hulasganj, District- Jehanabad.
17. Raju Son of Late Deo Narayan Prasad Singh Resident of Village, P.O. and P.S.- Nagar Nausha, District Nalanda.
18. Shiv Kumar Prasad Son of Late Parashuram Mahto Resident of Dariyapur, Macchiyawan, P.S.- Nagar Nausha, District- Nalanda.
19. Sanjeev Kumar Ranjan Son of Late Ramjee Prasad Singh Resident of Bara Bgha, Bhubhi, P.S.- Hilsa, District- Nalanda.
20. Rajnikant Son of Late Birendra Prasad Resident of Dariyapur, P.O.- Mehhiyawan, P.S.- Nagar Nausha, District- Nalanda.



21. Bhubneshwar Pandey Son of Late Dwarika Nath Upadhyay Resident of Upadhyay Tola, Rajgir, District- Nalanda.
22. Ravindra Pandey Son of Late Bal Mukund Pandey Resident of Village- Amaitara, P.O.- Chhatiyana, P.S.- Harnaut, District- Nalanda.
23. Narbadeshwar Tiwari Son of Late Pashupati Tiwari Resident of Village and P.O.- Kayamnagar, P.S.- Koilwar, District- Bhojpur.
24. Saroj Mishra Wife of Late Krishna Madhav Mishra Resident of Charkhambha, Shivganj, Arrah, District- Arrah.
25. Braj Kishor Pathak Son of Late Sabha Nath Pathak Resident of Shivganj, Arrah, District- Arrah.
26. Vindhyachal Mishra Son of Late Yamuna Mishra Resident of Bhital Tola, Arrah, District- Bhojpur.
27. Jitendra Trivedi Son of Late Vishwanath Trivedi Resident of Beed Bangla, near Mother Teresa School, Silwai, District- Ranchi, Jharkhand.
28. Awadhesh Kumar Mishra Son of Late Sukhdeo Mishra Resident of Village and P.O.- Hathilpur, P.S.- Brahmpur, District- Buxar.
29. Chhatheshwar Ojha Son of Late Radha Ojha Resident of Semaria, Semaria Palti Ojha, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary Education Department, Bihar, Patna.
3. The Principal Secretary Finance Department, Bihar, Patna.
4. The Special Director (Secondary Education), Bihar, Patna.
5. The Bihar Sanskrit Siksha Board Through it's Secretary, Bihar, Patna.
6. The Chairman Bihar Sanskrit Siksha Board, Bihar, Patna.
7. The Secretary Bihar Sanskrit Siksha Board, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Krishna Kant Tiwari, Advocate
For the BSSB	:	Mr. S. S. Sundram, Advocate
		Mr. Shashank Shekhar Jha, Advocate
For the Respondent/s	:	Mr.Madhaw Prasad Yadaw (GP23)
		Mr. Sanjay Kumar, AC to GP-23

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-12-2019 Heard the learned counsel for the parties.

Except for petitioner nos. 19 and 20, all other



petitioners are retired Assistant Teachers of recognized Sanskrit Schools. They have approached this Court for a direction to the concerned respondents to make available to them the earned leave for 300 days as is payable to Teachers of Minority Schools including Madarsas; dearness allowance and all other benefits to which they are entitled.

It has been submitted on behalf of the petitioners that despite their entitlement, they have not been provided with the same and their representation before all the authorities who could be relevant for deciding these issues, have fallen on deaf ears.

Under the aforesaid circumstances, this writ petition is being disposed off with a direction to the petitioners to make a fresh representation, charting out the dues, which according to their estimation is liable to be paid by the authorities, before the Special Director, Secondary Education, Government of Bihar, Patna within a period of four weeks. On receipt of such



representation, the concerned respondent (Respondent No. 4) shall look into the matter, verify the facts, ascertain the entitlement of the petitioners and shall pass a reasoned order in accordance with law.

If the claims of the petitioners are found to be tenable, necessary orders shall also be passed within a period of eight weeks of the date of filing of such representations, for making available the aforesaid dues in favour of the petitioners.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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