

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12281 of 2017

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Shailesh Kumar Bhola S/o Mundrika Prasad Singh, Resident of -Nirmala Bhawan, Maharaja Hata, Ara, P.s.-Nawada, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The District Education Officer, Ara, District-Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr.Smt. Shilpa Singh -GA-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioner and the State.

The grievance of the petitioner in the present writ petition is non-payment of difference of amount of 5th and 6th pay revision.

Learned counsel appearing on behalf of the petitioner submits that the petitioner belongs to Recognized Non-Government Aided Minority School of Bhojpur District. He submits that on principle the respondents have decided to extend the benefit of 5th and 6th pay revision. He referred to paragraph nos. 10 to 13 of the counter affidavit filed on behalf of the



District Education Officer, Bhojpur. For ready reference, paras 10 to 13 of the counter affidavit is quoted below:-

“10. That it is submitted that in compliance of aforesaid Hon’ble Courts order the deponent asked from all the three recognized non-Government Aided Minority School of the Bhojpur district to give the details of teacher wise difference amount of 5th and 6th pay Revision.

11. That it is submitted that in response the Catholic High School, Arrah to which the petitioner herein is an Assistant Teacher submitted vide letter no. 41 dated 16.8.2017 the detail of teacher wise difference amount of 5th and 6th pay revision. The petitioner name is listed at Serial no. 9 of the said given list.

12. That it is submitted that the deponent vide letter no. 1240 dated 28.9.2017 to the Director, Secondary Education, Bihar, Patna has asked for fund to pay the benefits of difference amount of 5th and 6th pay revision w.e.f. 1.4.1997 and 1.4.2007 respectively to the teachers of three recognized non-Government Minority secondary schools of the Bhojpur district.

13. That it is submitted that as soon as the aforesaid fund will be received the petitioner along with other similar situated teachers of all the three recognized non-government minority secondary school will be paid the difference amount of 5th and 6th pay revision without any further delay.”



In view of the above, the writ petition is disposed of with the direction to the respondents to take appropriate decision with regard to the claim of the petitioner and if they have already decided to grant the benefit of 5th and 6th pay revision, the difference of the same may be paid to the petitioner in accordance with law at the earliest preferably within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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