

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21621 of 2018

1. Mangal Pathak @ Yugal Pathak, Son of Sri Kanhaiya Pathak,
2. Rakesh Kumar, Son of Sri Nityanand Sharma,
Both are Assistant teachers of Shree Keshwashram Sanskrit Primary-cum-Middle School Ahirauli, P.S.- Industrial Buxar, District- Buxar.
3. Naval Kumar @ Nawal Kishore, Son of Shree Narayan Singh, at present posted as Asst. teacher (Acharya) in Shree Nimbark Kirshna Madhavananad Sanskrit Primary-cum-High School, Dhanamuthh, P.S.- Rani Talab, District- Patna. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna
2. The Special Director, Secondary Education, Bihar, Patna.
3. The Bihar Sanskrit Education Board, Patna through it's Secretary.
4. The Secretary, Bihar Sanskrit Education Board, Patna
5. The Chairman, Bihar Sanskrit Education Board, Patna
6. The District Education Officer, Buxar.
7. The District Education Officer, Patna.
8. The District Programme Officer, Establishment, Buxar.
9. The Secretary of the Managing Committee of Shree Keshwashram Sanskrit Primary-cum- Middle School Ahirauli, Buxar. Respondent/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG-15

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 07-01-2020 The petition filed on 03.11.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioners and learned
counsel for the respondents.

Petitioners have prayed in nut shell is as follows:

“For quashing the notification dated 04.09.2013
by which it has been decided that the aid/grant
of teaching and non-teaching staff of the school
will be given on fixed salary (as Niyojit
Teacher) who have been appointed after



15.02.2011.”

After the matter was heard for some time, learned counsel for the petitioners submits that petitioners shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioners shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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