

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4607 of 2022

1. Hafiz Md. Intiyazul Haque, Son of Maulvi Md. Imteyazul Haque, Resident of Near Hasmat Place Nawab Road, P.S. Chandwara, District - Muzaffarpur.
2. Md. Iqbal Ahmad, Son of Md. Idris, Resident of Qurban Road, P.S. - Chandwara, District - Muzaffarpur.
3. Md. Mumaz Son of Md. Zarrar, Resident of Mughal Campus, Qurban Road, P.S. Chandwara, District - Muzaffarpur.
4. Mustafa Alam, Son of Md. Safir Alam, Resident of Village and P.O. - Mahuawa, P.S. Piprahi, District - Sheohar.
5. Ashraf Kamal, Son of Abdul Haleem, Resident of Soda Godam Chowk, Church Road, P.S. - Chandwara, District - Muzaffarpur.
6. Md. Shakeel Ahmad, Son of Hafiz Md. Omair, Resident of Village and P.O. - Rahimabad, P.S. - Tajpur, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar, through Additional Chief Secretary, Education Department, Bihar, Patna.
2. Additional Chief Secretary, Education Department, Bihar, Patna.
3. The Principal Secretary, Finance Department, Bihar, Patna.
4. The Special Director, Secondary Education, Bihar, Patna.
5. The Bihar State Madarsa Education Board, Patna through its Secretary, Apex Tower Haroon Nagar, Sector - 2, Phulwari Sharif, Patna - 801505.
6. District Education Officer, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad
For the Respondent/s : Mr. Madhukar Mishra, AC to SC-16

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-11-2024 Heard learned counsel for the petitioners and learned counsel for the respondents.

2. This writ application has been filed for directing the respondents authorities to accord the benefits of Revision of pay



Scales under the 5th, 6th and 7th pay revisions to the petitioners who are teachers of the non-government Recognized (Aided) Madarsa, in the same manner as allowed to the teaching and non-teaching staffs in the Government Schools together with dearness allowance E.P.F, issuance and other allowance admissible thereon and together with the payment of differential amount of salary.

3. At the outset, learned counsel for the petitioners submit that that the case of the petitioners is squarely covered by the judgment passed by Division Bench of this Court in L.P.A. No.43 of 2016 and analogous cases dated 13.08.2019 wherein the Court has given direction which is quoted herein below:-

“For the reasons and discussions above, we are satisfied to record that the appellant-writ petitioners have made out a case for indulgence and consequently we direct the respondent authorities in the Education Department including the Principal Secretary to accord the benefits of revision of pay-scales under the 5th and 6th Pay Revisions to the teachers and non-teaching staff of the Non-Government Recognized (Aided) Sanskrit Schools and Madarsas in the same manner as allowed to the teaching and non-teaching staff in the Government Schools together with dearness allowance admissible thereon and let the exercise together with the payment of



differential amount of salary to which the teaching and non-teaching staffs in these schools are entitled, be made within a period of three months from today.”

4. Learned counsels appearing on behalf of respondents do not dispute the contention made on behalf of these petitioners.

5. Considering the aforesaid facts, since the case of the petitioners stands on similar footing to that of the petitioners of L.P.A. No. 43 of 2016, these petitioners are directed to approach the respondent no. 6 (the District Education Officer, Muzaffarpur) by filing a detailed representation along with a copy of the order passed in the L.P.A. No.43 of 2016, within a period of four weeks.

6. On receipt of the said representation, the respondent no. 6 is well advised to dispose off the same by passing a reasoned and a speaking order, in accordance with law, considering the order passed in L.P.A. No.43 of 2016, within a further period of twelve weeks.

7. The respondent no. 6 is directed to ensure compliance of this order and if the representation of the petitioners is not considered within the stipulated period, the respondent no. 6 shall be personally held responsible for non-complying the order of this Court.



8. With the aforesaid directions, this writ application is,
hereby, disposed of.

(Prabhat Kumar Singh, J)

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