

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6937 of 2024

Shivji Pandey Son of Sri Krishna Bihari Pandey, resident of Mohalla-Adarsh
Nagar, P.S.-Buxar, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department,
Government of Bihar, Vikash Bhawan, Patna.
3. The Additional Secretary, Human Resources Development Department,
Government of Bihar, Vikash Bhawan, Patna.
4. The Special Director, Department of Education, Government of Bihar,
Vikash Bhawan, Patna.
5. The Bihar Sanskrit Shiksha Board Bihar, Patna through its Secretary.
6. The Chairman, Bihar Sanskrit Shiksha Board, Bihar, Patna.
7. The Secretary, the Bihar Sanskrit Shiksha Board, Bihar, Patna.
8. The District Education Officer, Buxar, District-Buxar.
9. The District Programme Officer, Establishment, Buxar, District-Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar
For the Respondent/s : Mr. Standing Counsel (25)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Sanskrit
Shiksha Board.

2. By the present writ application, the petitioner
seeks following relief(s):-

*(i) For issuance of an appropriate writ,
order, direction in the nature of Mandamus
for commanding and directing the*



respondents to make necessary correction/modification for the implementation of 6th pay scale to the petitioners with effect from 01.04.2006 and monetary benefit with all benefits from 01.04.2007 as like Government Government Minority High Schools in place of 01.04.2013 for which the petitioner is entitled under the law.

(ii) For issuance of an appropriate writ order, direction in the nature of Mandamus for commanding directing the respondents to make necessary correction / modification for the implementation of Vth pay scale to the petitioner with effect from 01.01.1986 and all monetary benefits from 01.03.1989 as like the Government High School or Minority Government High School in place of 01.04.1998.

(iii) For issuance of an appropriate writ, order, direction in the nature of Mandamus for commanding and directing the



respondents to make payment of 5th pay scale with all benefits, service allowance and other service benefits from 01.03.1989 to date of retirement of petitioner aforesaid school as the Government High School. And minority Madarsa High School in the State of Bihar. And further respondents be directed to give payment of 6 pay scales with all benefits to the petitioner from 01.04.2007 to the date of his retirement as like Government High School. And minority Madarsa High Schools.

(iv) For issuance of an appropriate writ, order, direction directing the respondents to give priority payment of salary i.e. salary allowance other service benefits to the petitioner as like the Government High School and Minority Madarsa School in the State of Bihar.

(v) For issuance of an appropriate writ order, direction in the nature of Mandamus for commanding and directing the



respondents to give the benefits of the respondents State Government decision memo dated 20.02.1990 to the petitioner as like Government School. And minority Madarsa High School for which the petitioner is fully entitled under the law.

(vi) For issuance of any other reliefs which petitioner may be found in the eyes of law.

3. Learned counsel for the petitioners submit that the case of the petitioner is fully covered by the judgment passed by this Court in L.P.A. No.43 of 2016 and analogous cases.

4. Considering the aforesaid facts, since the case of the petitioner stands on similar footing to that of the petitioners of L.P.A. No.43 of 2016, there is no requirement to keep the present writ application pending.

5. Accordingly, petitioner is directed to file a detailed representation along with a copy of the order passed in L.P.A. No.43 of 2016, before the respondent no.9 within a period of four weeks and the respondent no.9 is well advised to consider the case of the petitioner and dispose of the representation of the petitioner after affording an opportunity of



personal hearing or through his counsel and pass a reasoned and speaking order in accordance with law and in light of the order passed in L.P.A. No.43 of 2016 within six weeks from the date of filing of such representation by the petitioners and also pay the claim/admitted dues of the petitioner.

6. It is made clear that respondent no.9 shall be personally held responsible for non-compliance of this order within the stipulated period.

7. With the aforesaid directions, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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