

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6728 of 2023

1. Kula Nand Choudahry Son of Shri Satya Narayan Choudhary Resident of Village - Nahaur, Police Station - Rudrapur, District-Madhubani.
2. Ram Vilash Jha, Son of Late Indra Kant Jha, Resident of Village-Devran, Police Station - Bahera, District - Darbhanga.
3. Jai Prakash Thakur Son of Shri Narayan Thakur, Resident of Village-Belmo-han, Police Station-Phulparas, District-Darbhanga.
4. Durga Nand Jha Son of Late Vishnu Kant Jha, Resident of Village Kanhauli, Police Station Jhanjharpur, District - Madhubani.
5. Phul Kumar, Son of Late Ghuman Kumar Resident of Village - Lakhnaur, Police Station - Lakhnaur, District - Madhubani.
6. Durga Nand Jha, Son of Late Anand Jha, Resident of Village Lakhnaur, Po-lice Station - Lakhnaur, District - Madhubani.
7. Indra Kant Jha Son of Ram Lakhan Jha, Resident of Village Rahua, Police - Station - Bheja, District - Madhubani.
8. Ajit Kumar Mishra, Son of Late Aamal Mishra, Resident of Village - Khar-rak, Police Station Bhairav Sthan, District-Madhubani.
9. Upendra Mishra Son of Shri Satdev Mishra, Resident of Village-Khararak, Police Station Bhairav Sthan, District-Madhubani.
10. Mohan Ji Jha, Son of Late Tej Narayan Jha, Resident of Village Mansapur, Police Station Laukhi, District-Madhubani.
11. Bhuvneshwar Jha, Late Tej Narayan Jha, Resident of Village - Mansapur, Police Station - Laukhi, District - Madhubani.
12. Purnima Mishra Son of Late Raghunath Mishra, Resident of Village Mansa-pur, Police Station Laukhi, District -Madhubani.
13. Shristi Narayan Mishra, Son of Late Saryug Mishra, Resident of Village Mansapur, Police Station Laukhi, District-Madhubani.
14. Ram Kumar Choudhary, Son of Late Laxmi Narayan Choudhary Resident of Village Chilmih, Police Station Basopatti, District - Madhubani.
15. Ugra Kant Jha, Son of Late Purushottam Jha Resident of Village - Parjuar, Police Station - Arer, District - Madhubani.
16. Prabha Kala Devi, Wife of Late Rajdeo Jha, Resident of Village - Parjuar, Police Station - Arer, District - Madhubani.
17. Harsh Narayan Jha Son of Late Kameshwar Jha, Resident of Village Parjuar, Police Station - Arer, District - Madhubani.
18. Digamber Jha Son of Shri Rameshwar Jha Resident of Village Brahampura, Police Station Arer, District-Madhubani.
19. Mohan Kamti, Son of Shri Baldeo Kamti, Resident of Village - Barhi, Police Station - Arer, District - Madhubani.

... .. Petitioner/s

Versus



1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Special Director, Secondary Education, Government of Bihar, Patna.
4. The Deputy Secretary, Department of Education, Bihar, Patna.
5. The District Education Officer cum- Planning Officer, Madhubani.
6. The District Programme Officer, Madhubani.
7. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
8. The Secretary, Bihar Sanskrit Shiksha Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Hemant Kumar Jha, Adv.
For the State	:	Mr.Narendra Kumar, AC to GP-20
For the Sanskrit Board	:	Mr. Satyam Shivam Sundaram, Adv.
		Mr. Chandra Shekhar Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 29-03-2024

Heard learned counsels for the parties.

2. This is an application for issuance of a writ in the nature of mandamus and/or any other writ/order/direction directing and commanding the respondents to make payment of 6th and 7th pay revision with effect from 01.04.2013 and 07.03.2019, respectively to the petitioners, who retired on different dates as teaching and non-teaching staffs of the Non-Government Recognized (Aided) Sanskrit Schools of Primary, Middle and Secondary standards in the same manner as allowed to the teaching and non-teaching staffs in the Government Schools together with Dearness Allowance admissible thereon as has



been provided by memo no. 799 dated 09.09.2020 issued under the signature of Deputy Secretary, Department of Education, Bihar, Patna.

3. Learned counsel for the petitioners submits that the petitioners' case 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 petitioners stands on similar footing to that of the petitioners of L.P.A. No. 43 of 2016, there is no requirement to keep pending the present writ application.

5. Accordingly, the petitioners are directed to file a detailed representation along with a copy of the order passed in the L.P.A. No. 43 of 2016, before the respondent nos. 5 & 6 within a period of four weeks.

6. Accordingly, respondent nos. 5 & 6 are well advised to consider the case of the petitioners and dispose of the representation of the petitioners after affording an opportunity of personal hearing or through their 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 eight weeks from the date of filing of such representation by the petitioners and also pay the claim/admitted dues of the petitioners.



7. It is made clear that respondent nos. 5 & 6 shall be personally held responsible for non-compliance of this order within the stipulated period.

8. With the aforesaid directions, this application stands disposed of.

(Anjani Kumar Sharan, J)

divyanshi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.04.2024
Transmission Date	NA

