

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20113 of 2014

1. Laliteshwar Prasad Son of Late Baldeo Narayan Singh Resident of Village and P.O. - Sonbhadra, P.S. -Karpi, District - Arwal
2. Laxmi Narayan Son of Shri Gauri Shankar Sharma Resident of Village - Bishwambarpur, P.S. - Vikram, District - Patna
3. Dhiraj Kumar Son of Sri Ram Vinay Sharma Resident of Village - Surajgarha, P.S. - Dhanarua, District - Patna. All are Assistant Teacher of Sonmati Sanskrit School, Bishwambharpur, District - Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Human Resources Development Department, Bihar, Patna
2. The Special Director, Secondary Education, Bihar, Patna
3. The Bihar Sanskrit Education Board, Boring Canal Road, Patna through its Secretary
4. The Chairman, Bihar Sanskrit Education Board, Boring Canal Road, Patna
5. The District Education Officer, Patna
6. The District Programme Officer, Patna
7. The Secretary of the Managing Committee of Sonamati Sanskrit High School, Bishwambharpur, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate
For the Respondent/s : Mr.Aag6- Anjani Kumar
For Bihar Sanskrit Education Board: Mr. Ram Niwas Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 30-07-2024 1. The petitioners have filed the present writ application for a direction to grant pay scale for the post of Sanskrit Teachers in view of the fact that the School of the petitioners i.e. Sonamati Sanskrit High School Bishwambharpur, Patna was recognized in 1989 i.e. prior to 15.02.2011.

2. Learned counsel for the petitioners submits that the



School in question was recognized way back in 1989 i.e. prior to 15.02.2011. The Government of Bihar came out with resolution no. 970 dated 31.08.2013 whereby the scheme of fixation of pay to the teaching / non teaching staff of 531 recognized Sanskrit Schools has been approved. Learned counsel relies upon Division Bench judgments of this Court passed in C.W.J.C. No. 985 of 2015, C.W.J.C. No. 15299 of 2015 & analogous cases and C.W.J.C. No. 24523 of 2018 and submits that Division Bench of this Court taking note of the resolution dated 31.08.2013 has held that resolution dated 31.08.2013 cannot be made applicable in the case of those who have been appointed prior to 31st August, 2013 and quashed the impugned action of the authority converting the pay scale of the petitioners of the aforesaid writ applications, who were teachers of Sanskrit / Madrasa Schools which were recognized prior to 15.02.2011. Learned counsel submits that the petitioner no. -1 was appointed prior to 31.08.2013 on 24.03.2013 and the petitioner nos. 2 & 3 were appointed on 05.03.2013. The case of the petitioners is squarely covered by the aforesaid judgments passed by Division Bench.

3. Learned counsel for the State as well as the Bihar Sanskrit Education Board submits that in the light of judgments



of Division Bench passed by this Court, the petitioners may submit their representation before the District Education Officer, Patna who will examine the entire facts including the judgments passed by this Court and take a final decision with regard to grant of pay scale to the petitioners in accordance with law.

4. Regard being had to the submissions made by the parties and taking into consideration the materials on record, I feel it expedient that in the facts of this case it is necessary to permit the petitioners to file a representation before the respondent no. 5 / District Education Officer, Patna within a period of four weeks from today with further direction to the D.E.O., Patna to dispose the representation of the petitioners in accordance with law after considering the entire facts and judgments passed by this Court within a period of three months from the date of submission of representation by the petitioners.

5. With the aforesaid observation and direction, this application is disposed of.

(Anil Kumar Sinha, J)

praful/-

U			
---	--	--	--

