

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15153 of 2021

1. Arvind Kumar Mishra Son of Late Janardan Mishra Resident of Mohalla-Thakurbari, P.S.- Jehanabad, District- Jehanabad Asst. Teacher Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
2. Upendra Kumar Son of Late Hira Singh Headmaster of Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
3. Braj Kishore Son of Late Vishwmohan Kumar Singh Asst. Teacher Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
4. Smt. Suman Sharma Daughter of Late Yamuna Sharma Asst. Teacher Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
5. Dr. Indu Devi Kashyap Wife of Dr. Surendra Kumar Sunil Asst. Teacher Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
6. Mukesh Kumar Son of Sri Virendra Sharma Asst. Teacher Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
7. Satyendra Kumar Son of Late Sahjanand Sharma Asst. Teacher Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
8. Sri Radhekant Sharma Son of Sri Virendra Sharma Asst. Teacher Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
9. Niranjan Kumar Son of Sri Devendra Sharma Asst. Teacher Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
10. Niraj Kumar Son of Late Bharat Sharma Asst. Teacher Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
11. Raj Kishore Prasad Singh Son of Sri Sant Prasad Singh Asst. Teacher (Science) Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
12. Bajrangi Kumar Son of Sri Shyam Narayan Prasad Singh Clerk of Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
13. Dr. Surendra Kumar Sunil Son of Sri Siyaram Sharma Headmaster of Baldev Sanskrit Primary cum- High School, Masaurhi, District- Patna.
14. Dr. Uttam Kumar Son of Sri Krishna Nandan Sharma (Asst. Teacher) of Baldev Sanskrit Primary cum- High School, Masaurhi, District- Patna.
15. Rajeev Ranjan Son of Sri Sukhram Yadav (Asst. Teacher) of Baldev Sanskrit Primary cum- High School, Masaurhi, District- Patna.
16. Santosh Kumar Son of Sri Basant Ram Peon of Baldev Sanskrit Primary cum- High School, Masaurhi, District- Patna.
17. Anil Kumar Son of Sri Anant Sharma Headmaster of Sharda Sanskrit Primary cum Middle School, Hazisarai, P.S.- Kako, District- Jehanabad.
18. Sri Rakesh Kumar Son of Sri Barjendra Sharma Asst. Teacher of Sharda Sanskrit Primary cum Middle School, Hazisarai, P.S.- Kako, District- Jehanabad.
19. Smt. Indresh Wife of Rajniti Singh Asst. Teacher of Madhav Sanskrit Primary cum Middle School, Mahrauli, P.S.- Palasi, District- Arwal.
20. Sri Tripurari Sharma Son of Sri Sudama Sharma Acting Headmaster of



Madhav Sanskrit Primary cum Middle School, Mahrauli, P.S.- Palasi, District- Arwal.

21. Rajkumar Son of Late Ram Janam Singh Asst. Teacher of Madhav Sanskrit Primary cum Middle School, Mahrauli, P.S.- Palasi, District- Arwal.
22. Ramesh Kumar Son of Sri Sharvan Kumar Asst. Teacher of Madhav Sanskrit Primary cum Middle School, Mahrauli, P.S.- Palasi, District- Arwal.
23. Avinash Kumar Son of Girjesh Sharma Asst. Teacher of Madhav Sanskrit Primary cum Middle School, Mahrauli, P.S.- Palasi, District- Arwal.
24. Sidhnath Sharma Son of Late Yamuna Sharma Acting Headmaster of Sri Banbhat Sanskrit Primary cum High School, Sakrikhurd, P.S.- Palasi, District- Arwal.
25. Dinesh Kumar Son of Late Saryug Singh Asst. Teacher of Sri Banbhat Sanskrit Primary cum High School, Sakrikhurd, P.S.- Palasi, District- Arwal.
26. Awadhesh Sharma Son of Late Vinesh Sharma Peon of Sri Banbhat Sanskrit Primary cum High School, Sakrikhurd, P.S.- Palasi, District- Arwal.
27. Ramashish Singh Son of Late Ram Vilash Singh Asst. Teacher of Sudama Kashinath Sanskrit Primary cum Middle School, Singhauli, P.S.- Dehri, District- Rohtas.
28. Arvind Kumar Son of Late Sidheshwar Singh Asst. Teacher of Sanskrit Primary cum High School, Manikpur, Tankuppa, P.S.- Tankuppa, District- Gaya.
29. Dipak Kumar Son of Late Mithilesh Sharma Clerk of Sanskrit Primary cum High School, Manikpur, Tankuppa, P.S.- Tankuppa, District- Gaya.
30. Prema Devi Daughter of Shyam Vilas Sharma Headmaster of Sanskrit High School, Daudnagar, P.S.- Daudnagar, District- Aurangabad.
31. Rakesh Kumar Son of Sri Ram Chandra Sharma Asst. Teacher of Sanskrit High School, Daudnagar, P.S.- Daudnagar, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Human Resources Development Department, Government of Bihar, Patna.
3. The Principal Secretary Department of Finance, Government of Bihar, Patna.
4. The Regional Provident Fund Commissioner R Block, Patna.
5. The Special Director Secondary Education, Bihar, Patna.
6. The Director Secondary Education, Bihar, Patna.
7. The Chairman Bihar Sanskrit Education Board, Patna.
8. The Secretary Bihar Sanskrit Education Board, Patna.
9. The District Education Officer Patna.
10. The District Education Officer Gaya.



11. The District Education Officer Jehanabad.
12. The District Education Officer Arwal.
13. The District Education Officer Rohtas.
14. The District Education Officer Aurangabad.
15. The District Programme Officer, (Establishment) Patna.
16. The District Programme Officer, (Establishment) Gaya.
17. The District Programme Officer, (Establishment) Jehanabad.
18. The District Programme Officer, (Establishment) Arwal.
19. The District Programme Officer, (Establishment) Rohtas.
20. The District Programme Officer, (Establishment) Aurangabad.
21. The Secretary Managing Committee, Laxmi Sangved Sanskrit Primary cum- High School, Jehanabad.
22. The Secretary Managing Committee, Baldev Sanskrit Primary cum- High School, Masaurhi, Patna.
23. The Secretary Managing Committee, Sharda Sanskrit Primary cum- Middle School, Kazisarai, Jehanabad.
24. The Secretary Managing Committee, Madhav Sanskrit Primary cum- Middle School, Sakrikhurd Mahaurli, Arwal.
25. The Secretary Managing Committee, Banbhat Sanskrit Primary cum- High School, Sakrikhurd Mahaurli, Arwal.
26. The Secretary Managing Committee, Sudama Kashinath Sanskrit Primary cum- Middle School, Singhauli, Rohtas.
27. The Secretary Managing Committee, Sanskrit Primary cum- High School, Manikpur Tankuppa, Gaya.
28. The Secretary Managing Committee, Sanskrit High School, Daudnagar, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar, Adv/
For the State	:	Smt. Shilpa Singh, AC to GA-12
For the EPFO	:	Mr. Prashant Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 11-09-2024 Learned counsel for the respondent no. 4 has filed the counter affidavit today in the Court.

2. Let it be kept on record.

3. Heard learned counsel for the petitioners, learned



counsel for the Sanskrit Shiksha Board, learned counsel for the EPFO and learned counsel for the State.

4. A counter affidavit has been filed on behalf of respondent no. 4, in which it is stated that a show cause notice vide letter no. BR/PAT/7301/Comp/4872 dated 04.03.2022 has been issued to the Secretary, Bihar Sanskrit Shiksha Board directing him to remit the EPF and allied dues in respect of the petitioners and also of other employees, who are working on contract on daily rated basis in the non-Government Sanskrit Schools under the State of Bihar, within a period of 15 days from the date of receipt of the show cause, failing which necessary action under the EPF and MP Act shall be initiated without further notice. Further a show cause notice vide letter no. BR/PAT/7301/Comp/2937 dated 24.03.2022 has also been issued to the Special Director, Secondary Education, all the concerned District Education Officers and the District Programme Officers (Establishment) as well as the Managing Committee of the Schools in which the petitioners are employed.

5. Considering the facts aforesaid, if the reply of the aforesaid show cause is not filed by the Special Director, Secondary Education, all the concerned District Education



Officers and the District Programme Officers (Establishment) as well as the Managing Committee of the schools then respondent no. 4 shall pass an ex-parte order in accordance with law.

6. Considering the argument on behalf of the parties and on perusal of the records available on record, petitioners are directed to file a detailed representation before the respondent no. 4, the Regional Provident Fund Commissioner, R-Block, Patna within a period of two weeks from today. The respondent no. 4 shall dispose of the same after affording opportunity of personal hearing of all the parties concerned or through their counsel by passing a reasoned and a speaking order, in accordance with law, within a period of eight weeks, thereafter.

7. The writ petition stands disposed of on the aforesaid terms.

(Anjani Kumar Sharan, J)

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