

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10016 of 2023

1. Sri Ravindra Sharma S/o Sri Sudama Sharma R/o at and P.O.- Khajuri, P.S.- Naubatpur, Distt.- Patna at present posted as Headmaster, Town Middle School, Hajipur, Vaishali.
2. Smt. Nilam Kumari @ Nilam Sharma, Daughter of Sri Lal Kishun Singh R/o- Mohalla and P.O. and P.S.- Dhurba, Distt.- Ranchi at present Assistant teacher Town Middle School, Hajipur, Vaishali.
3. Sri Gajendra Sharma, Son of Late Ramlakhan Singh R/o Village- Mahmadpur, P.O.- Painal, P.S.- Bihta, Distt.- Patna, Retired Assistant teacher Town Middle School, Hajipur, Vaishali.
4. Smt. Rama Sinha, Daughter of Late Mahendra Narayan Sinha R/o- Village- Bhagwanpur Rati, P.O.- Balu Ka Ram, P.S.- Vaishali, Distt.- Vaishali, Retired Assistant teacher Town Middle School, Hajipur, Vaishali.
5. Sri Manoj Kumar, Son of Sri Shiv Narayan Sharma R/o- Village- Itha, P.O.- Dholi, P.S.- Sakri, Distt.- Muzaffarpur, at present Assistant teacher Town Middle School, Hajipur, Vaishali.
6. Sri Ajay, Son of Sri Shivnath Prasad R/o- Mohalla- Nakhas Chowk, P.O. and P.S.- Hajipur, Distt.- Vaishali, at present Assistant teacher Town Middle School, Hajipur, Vaishali.
7. Sri Satilal Ram, Son of Sri Chandrika Prasad R/o- Vill. and P.O.- Dangsi, P.S.- Sindhwalia, Distt.- Gopalganj, at present Assistant teacher Town Middle School, Hajipur, Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna, Bihar.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna, Bihar.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Vaishali at Hajipur.
5. The District Programme Officer (Establishment), Vaishali at Hajipur.
6. The District Account Officer, Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha
For the Respondent/s : Smt. Binita Singh (Sc28)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners and learned



counsel for the respondents/State.

2. This writ application has been filed for following reliefs:-

(i) For a direction to the concerned respondent i.e. respondent no. 5 for fixation of pay of petitioners in 6th pay revision scale in the light of Sankalp (i.e. संकल्प सं० 8व 3-51/05-1334) dated 08/08/2006 under the signature of Deputy Secretary, Education Department, Government of Bihar.

(ii) For further direction for verification of revised pay (6th pay) thereafter by the respondent No. 6 the District Account Officer, Vaishali at Hajipur accordingly.

(iii) Further direction to respondent authority to give the consequential benefit of 6th pay revision to the petitioners.

(iv) For further direction to respondent authority to dispose of the representations of the petitioners within reasonable period.”

3. Petitioners are aggrieved by the fact that another Assistant Teacher of the State Government namely Smt. Bina, who had been appointed alongwith the petitioners has been getting higher pension on the basis of 5th and 6th pay revisions, whereas the petitioners’ case although identical as per the letter dated 22.11.2006 of the Director, Primary Education, Govt. of Bihar, but the same benefit has not been extended to these petitioners. In this regard, petitioners have brought on record copy of order dated 07.08.2012 passed in C.W.J.C. No. 14341 of



2012 by a coordinate Bench of this Court, vide Annexure P/5 to this writ petition.

4. Considering the above facts and circumstances, the writ application is disposed of with a direction to concerned respondent to consider and dispose of the claim of petitioners within a period of four months from the date of receipt/production of copy of this order and in case, it is found that petitioners' case stands on similar footing, the same monetary benefit shall be extended to these petitioners.

5. With above observation and direction, the writ petition stands disposed of.

(Prabhat Kumar Singh, J)

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