

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12345 of 2024

1. Narendra Jha Son of Late Shashi Nath Jha Resident of village- Brahmpur, P.S.- Phulparash, District- Madhubani.
2. Kanahaiya Ram Son of Late Hari Shankar Ram Resident of village- Nehra, P.S.- Nehra, District- Darbhanga. retired and working teaching and Non-Teaching employees of Hari Chandra Sanskrit High School, Tarauni, Benipur, Darbhanga.
3. Bimal Kishore Jha Son of Late Yogendra Jha Resident of village- Tarauni, P.S.- Vishwanathpur Tarauni, District- Darbhanga. retired and working teaching and Non-Teaching employees of Hari Chandra Sanskrit High School, Tarauni, Benipur, Darbhanga.
4. Tej Narayan Jha Son of Late Namu Nath Jha Resident of village- Tarauni, P.S.- Vishwanathpur Tarauni, District- Darbhanga. retired and working teaching and Non-Teaching employees of Hari Chandra Sanskrit High School, Tarauni, Benipur, Darbhanga.
5. Most. Nirmala Devi Wfe of Late Naresh Chandra Jha Resident of village- Brahmpur, P.S. Phulparas, District- Madhubani (She is heir of Late Naresh Chandra Jha, retired teachers). retired and working teaching and Non-Teaching employees of Hari Chandra Sanskrit High School, Tarauni, Benipur, Darbhanga.
6. Dharendra Kumar Jha Son of Late Raghunandan Jha Resident of village- Tarauni, Ward No. 6, P.S. Vishwanathpur, District- Darbhanga, retired Assistant Teacher of Sanskrit Prathmik-cum-Madhya Vidyalaya, Tarauni, Benipur, Darbhanga.
7. Bina Devi D/o Mahabir Jha Resident of village- Sahora, P.S. Anandpur, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Maharani Lakshmi Sawary Sanskrit Prathmik-cum-Madhya Vidyalaya, Laxmipur, Anandpur, Darbhanga.
8. Chandra Bhushan Mishra Son of Suresh Mishra Resident of village- Thalwaha, Ward No. 7, P.S. Thalwara, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Maharani Lakshmi Sawary Sanskrit Prathmik-cum-Madhya Vidyalaya, Laxmipur, Anandpur, Darbhanga.
9. Most. Meera Devi wife of Late Suresh Mishra Resident of village- Thalwara, Ward No. 7, P.S. Thalwara, District- Darbhanga (She is heir of late Suresh Mishra, retired teacher). retired and working Teaching and Non-Teaching employees of Maharani Lakshmi Sawary Sanskrit Prathmik-cum-Madhya Vidyalaya, Laxmipur, Anandpur, Darbhanga.
10. Most. Kumkum Devi Wife of Late Krishna Kant Jha Resident of village- Sahora, P.S.- Anandpur, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Maharani Lakshmi Sawary Sanskrit Prathmik-cum-Madhya Vidyalaya, Laxmipur, Anandpur, Darbhanga.
11. Sarjug Kant Jha Son of Ram Lochan Jha Resident of village- Sahora, P.S. Anandpur, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Maharani Lakshmi Sawary Sanskrit Prathmik-cum-



Madhya Vidyalaya, Laxmipur, Anandpur, Darbhanga.

12. Girja Nand Chaudhary Son of Late Ramashray Chaudhary Resident of village- Makhanpur, P.S. Anandpur, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Maharani Lakshmi Sawary Sanskrit Prathmik-cum-Madhya Vidyalaya, Laxmipur, Anandpur, Darbhanga.
13. Chandra Mohan Jha Son of Late Nagendra Jha Resident of village- Sahora, P.S. Kharajpur, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Maharani Lakshmi Sawary Sanskrit Prathmik-cum-Madhya Vidyalaya, Laxmipur, Anandpur, Darbhanga.
14. Gopal Kumar Jha Son of Late Ram Kumar Jha Resident of village- Sahora, P.S. Anandpur, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Maharani Lakshmi Sawary Sanskrit Prathmik-cum-Madhya Vidyalaya, Laxmipur, Anandpur, Darbhanga.
15. Kalikant Jha Son of Late Shio Narayan Jha Resident of village and P.S.- Akharbhinda, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Dhanwantary Sanskrit Madhya Vidyalaya- Awam, P.S. Rataul, District- Darbhanga.
16. Amar Nath Jha Son of Late Revti Raman Jha Resident of village- Awam, P.S. Rataul, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Dhanwantary Sanskrit Madhya Vidyalaya- Awam, P.S. Rataul, District- Darbhanga.
17. Most. Usha Devi Wife of Late Revti Raman Jha Resident of village- Awam, P.S. Rataul, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Dhanwantary Sanskrit Madhya Vidyalaya- Awam, P.S. Rataul, District- Darbhanga.
18. Most. Shanti Devi wife of Late Baidya Nath Jha Resident of village- Madanpur, P.S. Rataul, District- Madhubani. retired and working Teaching and Non-Teaching employees of Dhanwantary Sanskrit Madhya Vidyalaya- Awam, P.S. Rataul, District- Darbhanga.
19. Raj Kumar Jha Son of Late Hit Narayan Jha Resident of village- Awam, P.S. Rataul, District- Madhubani. retired and working Teaching and Non-Teaching employees of Dhanwantary Sanskrit Madhya Vidyalaya- Awam, P.S. Rataul, District- Darbhanga.
20. Rajendra Mishra Son of Late Tripti Narayan Mishra Resident of village- Awam, P.S. Rataul, District- Darbhanga. retired and working Teaching and Non-Teaching employees of Dhanwantary Sanskrit Madhya Vidyalaya- Awam, P.S. Rataul, District- Darbhanga.
21. Most. Shail Devi Wife of Late Chaudhary Vishwanath Roy Resident of village and P.S.- Batholaxmipur, District- Darbhanga. Retired Teacher of Kedar Sanskrit High School- Shumbha Deodhi, Samastipur (and heir of Late Choudhary Vishwanath Roy).
22. Ranjit Kumar Jha Son of Late Ganga Prasad Jha Resident of village and P.S. Jaldeopatti, District- Darbhanga. Heir of Late Ganga Prasad Jha who was retired teacher of Sansdiya Sanskrit High School, Jaideopatti, District- Darbhanga.



... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar.
3. The Special Director (Secondary Education), Govt. of Bihar, Patna.
4. The District Education Officer, Darbhanga and Samastipur.
5. The District Programme Officer (Establishment), Darbhanga and Samastipur.
6. The District Education Officer, Madhubani.
7. The District Programme Officer (Establishment), Madhubani.
8. The Bihar Sanskrit Shiksha Board through Secretary, Bihar, Patna.
9. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
10. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
11. The Head Master/ Acting Head Master of Hari Chandra Sanskrit High School, Tarauni, Benipur, Darbhanga.
12. The Head Master/ Acting Head Master of Sanskrit Prathmik-cum-Madhya Vidyalaya Tarauni, Benipur, Darbhanga.
13. The Head Master/Acting Head Master of Maharanani Laxmeshwary Sanskrit Prathmik-cum-Madhya Vidyalaya Laxmipur, Anandpur, Darbhanga.
14. The Head Master/Acting Head Master of Dhanwantary Sanskrit Madhya Vidyalaya, Awam, Rataul, Darbhanga.
15. The Head Master/Acting Head Master of Kedar Sanskrit High School, Shuraba Dyodhi, Samastipur.
16. The Head Master/Acting Head Master of Samasdiya Sanskrit High School, Jaideopatti, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey
For the Respondent/s : Mr. Government Pleader 16

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-08-2024 1. Learned counsel for the petitioners submits that the petitioners are claiming the difference of salary pursuant to the revision of pay scale as per 5th and 6th Pay Revision and also for grant of benefit of 7th Pay Revision.



2. He further submits that in the similar matter, with regard to the payment of difference of salary under 5th and 6th Pay Revision, the Division Bench of this Court by order, dated 13.08.2019, passed in LPA No. 43 of 2016, has directed for payment of difference of salary under 5th and 6th Pay Revision to the teaching and non-teaching staff of the Government schools together with Dearness Allowance admissible thereon. The case of the petitioners is fully covered by the aforesaid order, dated 13.08.2019.
3. Learned counsel for the Bihar Sanskrit Shiksha Board as well as the State submits that in so far as 7th Pay Revision is concerned, the same has not been implemented and in the future, if it is implemented, the same would be granted to the petitioners as per the law.
4. Having heard learned counsel for the parties and taking into consideration the submissions of the petitioners that the case of the petitioners is squarely covered by the order, of the Division Bench of this Court passed in passed in the LPA No. 43 of 2016, dated 13.08.2019, the present writ application is disposed with liberty to the petitioners to file a representation, along with relevant documents, before the concerned District Programme



Officer within a period of four weeks.

5. If such a representation is filed, the concerned District Programme Officer shall dispose the same in accordance with law and by a reasoned order within a period of three months from the date of receipt of the representation after giving personal hearing to the petitioners.
6. It goes without saying that if the claim of the petitioners is found admissible by the concerned District Programme Officer, the requisite amount shall be paid to the petitioners within a period of one month from the date of disposal of the representation.
7. With the aforesaid observations and directions, this writ application is disposed.

(Anil Kumar Sinha, J)

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