

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13528 of 2024

1. Bijay Kumar Mishra Son of Late Udayeshwar Mishra, Resident of Village- Pastan Navtoli, Police Station - Andhratharhi, District - Madhubani.
2. Indra Kant Jha, Son of Late Shobha Kant Jha, Resident of Village- Pastan Navtoli, Police Station - Andhratharhi, District - Madhubani.
3. Jaymati Mishra, Wife of Late Udayeshwar Mishra, Resident of Village- Pastan Navtoli, Police Station - Andhratharhi, District - Madhubani.
4. Ravindra Kumar Jha, Son of Late Bela Kant Jha, Resident of Village- Maun Behat, Police Station- Manigachhi, District - Darbhanga.

... .. 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 Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Special Director, Secondary Education (Incharge Sanskrit), Department of Education, Government of Bihar, Patna.
5. The District Education Officer, Madhubani.
6. The District Programme Officer, Establishment, 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
For the Respondent/s : Mr.Addl. Advocate General 9

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-09-2024 1. Learned counsel for the petitioners submits that the petitioners are claiming the difference of salary pursuant to revision of pay scale as per 5th & 6th Pay Revision and also for grant of benefit of 7th Pay Revision.
2. He further submits that in similar matter with regard to



payment of difference of salary under 5th & 6th Pay Revision, 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 & 6th Pay Revision to the teaching and non-teaching staffs of 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 insofar as 7th Pay Revision is concerned, the same has not been implemented and in 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 Division Bench of this Court passed in LPA No. 43 of 2016 dated 13.08.2019, the present writ application is disposed with liberty to the petitioners to file representation along with relevant documents before the respondent no. 5 / District Education Officer, Madhubani within a period of four weeks.

5. If such a representation is filed, the District Education Officer, Madhubani shall dispose the same in accordance with



law by a reasoned order within a period of three months from the date of receipt of representation and the petitioners shall be granted personal hearing in the matter.

6. It goes without saying that if the claim of the petitioners is found admissible by the District Education Officer, Madhubani, 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 application is disposed.

(Anil Kumar Sinha, J)

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