

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14169 of 2024

1. Virendra Nath Tiwari Son of Late Sampat Kumar Tiwari Resident of Village Bhagwati Nagar, Bettiah (Banuchhapar), Police Station- Banuchhapar, District- West Champaran.
2. Narmdeshwar Upadhyay, Son of Late Chandrika Upadhyay, Resident of Village Khiriyaghat, Police Station Bettiah, District- West Champaran.
3. Pratyush Kumar Pandey, Son of Late Ajay Shanker Pandey, Resident of Village - Kotwali Choek, Police Station Bettiah, District - West Champaran.
4. Kumari Pratima, Wife of Late Ajay Shanker Pandey, Resident of Village - Kotwali Choek, Police Station- Bettiah, District- West Champaran.
5. Avinash Kumar, Son of Late Shiv Bachan Choudhary, Resident of Village- Kotwali Choek, Police Station Bettiah, District- West Champaran.
6. Daya Shanker Pandey, Son of Late Shiv Nath Pandey, Resident of Village Majhariya, Police Station - Bhairoganj, District - West Champaran.
7. Arvind Kumar Pandey, Son of Late Shobha Kant Pandey, Resident of Village Majhariya, Police Station Bhairoganj, District - West Champaran.
8. Shivjee Mishra, Son of Late Janardhan Mishra, Resident of Village- Ram Nagar, Police Station - Ram Nagar, District - West Champaran.
9. Meera Devi, Wife of Late Priyadhan Tiwari, Resident of Village - Banuchhapar, Police Station - Bettiah, District - West Champaran.
10. Sushil Thakur, Son of Late Raj Paltan Thakur, Resident of Village - Riga, Police Station-Riga, District - Sitamarhi.
11. Bhairav Mishra, Son of Late Rama Nand Mishra, Resident of Village- Rudalpur, Police Station - Bhore, District - Gopalganj.
12. Karuna Nidhan Mishra, Son of Late Dev Dutt Mishra, Resident of Village- Bhaisahi, Police Station- Bagaha, District - West Champaran.
13. Ram Chandra Tripathi, Son of Late Puja Ram Tripathi, Resident of Village - Gudri Bazar, Police Station-Bagaha, District- West Champaran.
14. Rajeshwar Sharma, Son of Late Ram Lakhan Pandey, Resident of Village - Nawada, Police Station-Govind, District - East Champaran.
15. Vikramaditya Tripathi, Son of Late Chandrika Tripathi, Resident of Village - Donwar, Police Station Yogapatti, District - West Champaran.
16. Triloki Nath Dubey, Son of Late Kedar Dubey, Resident of Village - Tarkulwa, Police Station - Lauriya, District - West Champaran.
17. Ramesh Mishra, Son of Late Bhagwan Mishra, Resident of Village Ekderwa, Police Station Bagaha, District - West Champaran.
18. Surendra Pandey, Son of Late Lal Parikh Pandey, Resident of Village- Harpur, Police Station- Bagaha, District - West Champaran.
19. Yasoda Devi, Wife of Late Rajendra Tripathi, Resident of Village - Matiyariya, Police Station - Shikarpur, District - West Champaran.
20. Usha Devi, Wife of Late Anirudh Nath Tripathi, Resident of Village - Bishunpura, Police Station - Bathubaria, District - West Champaran.



... .. 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, Department of Education, Government of Bihar, Patna.
5. The District Education Officer, West Champaran.
6. The District Programme Officer, Establishment, West Champaran.
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, Advocate
For the Respondent/s : Mr.Advocate General
Mr. Satyam Shivam Sundaram, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-09-2024 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, West Champaran within a period of four weeks from today.

5. If such a representation is filed, the District Education Officer, West Champaran 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, West Champaran, 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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