

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15269 of 2023

1. Kashi Kant Jha son of Late Uday Kant Jha, resident of Ward No. 12, Village-Chhatauni, Near Sanskrit High School, P.S.-Basopatti, District-Madhubani.
2. Niranjana Pratihasta, son of Late Awadha Narain Pratihasta, resident of Village-Chhatauni, P.S.-Basopatti, District-Madhubani.
3. Chandra Bhushan Jha, son of Mukhdeo Jha, resident of Village-Hatwariya, P.S.-Basopatti, District-Madhubani.
4. Ram Kumar Chaudhary, son of Late Lakshmi Narain Chaudhary, resident of Village-Chil Miliya, P.S.-Damu, District-Madhubani.
5. Jagda Nand Sharma, son of Late Ram Sewak Sharma, resident of Ward No. 4, Pancharatna Ghorbanki, District-Madhubani.
6. Shiv Nath Yadav, son of Late Genalal Yadav, resident of Village-Madhiya Kamlawari, P.S. Basopatti, District-Madhubani.

... .. Petitioners.

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Government of Bihar, Vikash Bhawan, Patna.
2. The Special Director, Secondary Education, Incharge Sanskrit, Education Department, Government of Bihar, Vikash Bhawan, Patna.
3. The Bihar Sanskrit Shiksha Board Bihar, Patna through its Secretary.
4. The Chairman, Bihar Sanskrit Shiksha Board Bihar, Patna.
5. The Secretary, the Bihar Sanskrit Shiksha Board Bihar, Patna.
6. The District Education Officer, Madhubani, District-Madhubani.
7. The District Programme Officer, Establishment, Madhubani, District-Madhubani.

... .. Respondents.

Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar
For the Respondent/s : Mr. Prabhakar Jha (Gp27)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-03-2024

Heard learned counsel for the parties.



2. Learned counsel for the petitioners submits that the issued raised in the present writ application is squarely covered by the decision of this Court in C.W.J.C. No.985 of 2015 dated 27.03.2019.

3. These petitioners have also been deprived of the benefits to which they were entitled by the impugned resolution dated 31st of August, 2013 which had already been quashed to the extent as indicated in the judgment dated 27.03.2019 passed in C.W.J.C. No.985 of 2015 by a Division Bench of this Court. Therefore, the petitioners are also entitled to the same benefits on the same terms.

4. In that view of the matter, this writ petition is disposed of with a direction to the petitioners to file a fresh representation before the respondent no.7 along with a copy of this order and the judgment dated 27.03.2019 passed in C.W.J.C. No.985 of 2015 and the respondent no.7 is well advised to consider the case of the petitioners and grant the same benefits including the arrears within a period of three months from the date of filing of such representation.

5. It goes without saying that respondent no.7 shall be responsible for non-compliance of this order within the stipulated period.



6. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioners.

(Anjani Kumar Sharan, J)

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