

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17689 of 2024

1. Sagir Ahmad son of Abdul Hamid Khan, resident of Village Ward no.- 6, Piparpatti, P.S.-Yogapatti Piparpanti, Shiorajpur, District- West Champaran.
2. Md. Anbarul Haque, son of Ijharul Haque, resident of Village- Langari, P.S.-Lauriya, District-West Champaran.
3. Mansoor Alam, son of Ushman Ansari, resident of Village- Rai Tola Radhiya Ward no.- 9, P.S.- Govindganj, District- West Champaran.
4. Abdul Satar, son of Shekh Ishak, resident of Village- Pokhariya, P.S.- Shikarpur, District- West Champaran.
5. Amiruddin, son of Md. Salim, resident of Village- Dhum Nagar, Narkatiyaganj, P.S.- Shikarpur, District- West Champaran.
6. Karamatullah, son of SK. Suleman, resident of Mohalla- Nandpur, Narkatiyaganj, P.S.- Shikarpur, District- West Champaran.
7. Abdul Jabbar, son of Late Shekh Mustakim, resident of Village- Bhawanipur, P.S.- Sikta, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Human Resources Development Department Government of Bihar, Vikash Bhawan, Patna.
2. The Special Director, Secondary Education, Department of Education, Government of Bihar, Vikash Bhawan, Patna.
3. The Bihar State Madarsa Education Board, Bihar, Patna through its Secretary.
4. The Chairman, Bihar State Madarsa Education Board, Bihar, Patna.
5. The Secretary, Bihar State Madarsa Education Board, Bihar, Patna.
6. The District Education Officer, Bettiah, West Champaran, District- West Champaran.
7. The District Programme Officer, Establishment, Bettiah, West Champaran, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suresh Kumar Ishwar, Advocate
For the Respondent/s	:	Mr.SK Mandal, Standing Counsel (3)
		Mr. Arjun Prasad, AC to SC 3
For the Board		Mr. SH Khan, Md.A.Ansari, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2024

Heard learned counsel for the parties.



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

(1) For issuance of an appropriate writ, order, direction in the nature of Mandamus for commanding and directing the respondents to make necessary correction/modification for the implementation of 6th pay scale to the petitioners with effect from 1.04.2006 and monetary benefit with all benefits from 01.04.2007 as like Government High School and Government Minority High Schools in place of 01.04.2013 for which the petitioners are entitled under the law.

(ii) For issuance of an appropriate writ, order, direction in the nature of Mandamus for commanding and directing the respondents to make necessary correction/modification for the implementation of Vth pay scale to the commanding the respondents to petitioners with effect from 1.01.1986 and all monetary benefits from 01.03.1989 as like the Government High School and Minority Government High School in place of 01.04.1998.

(iii) For issuance of an appropriate writ, order, direction in the nature of Mandamus for commanding and directing the respondents to make payment of 5th pay scale with all benefits, service allowance and other service benefits from 01.03.1989 to date of retirement of petitioners in the aforesaid school as like the government High School. And minority Madarsa High School in the State of Bihar. And further respondents be directed to give payment of 6th pay scales with all benefits to the petitioners from 01.04.2007 to the date of his retirement as like Government High make payment of arrears by way of differential amount of salary iSchool. And minority Madarsa High Schools.

(iv) For issuance of an appropriate writ, order, direction in the nature of mandamus for commanding and directing the respondents to give priority in payment of salary i.e. salary allowance and other service benefits to the petitioners in the aforesaid school as like the



Government High School and Minority Madarsa School in the State of Bihar.

(v) For issuance of an appropriate writ, order, direction in the nature of Mandamus for commanding and directing the respondents to give the benefits of the respondents State Government decision memo no. 237 dated 20.02.1990 to the petitioners as the Government School. And minority Madarsa School for which the petitioner is fully entitled under the law.

3. Learned counsel for the petitioners submits that case of the petitioners is fully covered with the order/judgment of this Court dated 13.08.2019 passed in L.P.A. No. 43 of 2016 and other analogous cases. Learned counsel for the petitioners further submits that pursuant to aforesaid order/judgment of L.P.A. No. 43 of 2016, several orders have been passed by Hon'ble Single Benches of this Court.

4. Learned counsel for the respondents does not dispute the contention made on behalf of the petitioners

5. In view of aforesaid facts and circumstances, this writ application is disposed of with direction to the petitioners to approach the respondents authorities (respondent no. 7) in the light of order/judgment of this Court dated 13.08.2019 passed in L.P.A. No. 43 of 2016 by way of filing a detailed representation(s) alongwith copy of order passed in L.P.A. No. 43 of 2016 before the concerned respondent within a period of six weeks from the date of receipt / production of copy of this



order. If such representation is filed, the concerned respondent shall dispose of the same preferably within a period of ten weeks thereafter after hearing the parties in accordance with law.

6. It goes without saying that if the claim of the petitioners is found admissible by the concerned respondent, he shall ensure that the admissible amount must be paid to the petitioners as early as possible.

7. With above observation and direction, the writ application stands disposed of.

(Prabhat Kumar Singh, J)

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