

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17568 of 2024

1. Tarkeshwar Tiwary son of Late Jatadhari Tiwari resident of Village -Arak, P.S.- Krishna Brahm, District-Buxar.
2. Deo Kumar Pandey son of Late Hanuman Dutt Pandey resident of Village-Arak, P.S.- Krishna Brahm, District-Buxar.
3. Siddi Nath Dubey son of Late Basudeo Dubey resident of Village- Arak, P.S.. Krishna Brahm, District-Buxar.
4. Ram Narayan Singh son of Late Dharamdeo Singh resident of Village- Arak, P.S.- Krishna Brahm, District-Buxar.
5. Saryu Prasad son of Late Gajadhar Prasad resident of Village-Chougai, P.S.- Murar, District-Buxar. orderly in Sri Ganga Ram Sanskrit Prathmik Sah Madhyamik Vidyalaya Arak, P.S.- Krishna Brahm, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary, Human Resources Develop- ment Department Government of Bihar, Vikash Bhawan, Patna.
3. The Additional Secretary, Human Resources Development Department, Government of Bihar, Vikash Bhawan, Patna.
4. The Special Director, Department of Education, Government of Bihar, Vikash Bhawan, Patna.
5. The Bihar Sanskrit Shiksha Board, Bihar, Patna through its Secretary.
6. The Chairman, Bihar Sanskrit Shiksha Board, Bihar, Patna.
7. The Secretary, the Bihar Sanskrit Shiksha Board, Bihar, Patna.
8. The District Education Officer, Buxar, District- Buxar.
9. The District Programme Officer, Buxar, District- Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:Mr.Suresh Kumar Ishwar, Advocate
For the Respondent/s	:Mr.Vishwambhar Pd, AC to Addl. Advocate General 05
For the Board	Mr. SS Sundram, Ankit, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-11-2024 Heard learned counsel for the petitioners and the respondents.

2. This writ application has been filed for following



reliefs:-

(i) *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 01.04.2006 and monetary benefit with all benefits from 01.04.2007 as like Government School and Government Minority 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 petitioners with effect from 01.01.1986 and all monetary benefits from 01.03.1989 as like the Govern- ment School or Minority Government 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 the petitioners aforesaid school as the government School and minority Madarsa School in the State of Bihar. Further respondents be directed to give payment of 6 pay scales with all benefits to the petitioners from 01.04.2007 as like Government School and Minority Madarsa Schools.*

(iv) *For issuance of an appropriate writ, order, direction directing the respondents to give priority payment of salary i.e. salary allowance and other service benefits of the Head Master and assistant teachers in the aforesaid school to the petitioners as like the Head Master and Assistant Teacher and orderly of the Government 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 dated 20.02.1990 and Memo of dated 09.01.1990 to the petitioner as like Government School and minority Madarsa School for which the petitioners are 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.9) 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 respondent no.9, 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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