

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17864 of 2024

1. Krishna Kumar Singh Son of Late Rajbansh Singh The Headmaster, Sudama Kashi Nath Sanskrit High School Singhauli, Dalmiya Nagar, Rohtas in the District of Rohtas.
2. Ram Ashish Singh, Son of Late Ram Vilash singh Assistant Teacher, Sudama Kashi Nath Sanskrit High School Singhauli, Dalmiya Nagar, Rohtas in the District of Rohtas.
3. Vinod Singh @ Binod Kumar Singh, Son of Late Munshi Prasad Singh Assistant Teacher, Sudama Kashi Nath Sanskrit High School Singhauli, Dalmiya Nagar, Rohtas in the District of Rohtas.
4. Smt. Poonam Mishra, Daughter of Late Jagnarayan Mishra Assistant Teacher, Sudama Kashi Nath Sanskrit High School Singhauli, Dalmiya Nagar, Rohtas in the District of Rohtas.
5. Smt. Manju Kumari, Daughter of Late Munshi Prasad Singh Assistant Teacher, Sudama Kashi Nath Sanskrit High School Singhauli, Dalmiya Nagar, Rohtas in the District of Rohtas.
6. Smt. Anita Kumari Mishra, Daughter of Baban Mishra Assistant Teacher, Sudama Kashi Nath Sanskrit High School Singhauli, Dalmiya Nagar, Rohtas in the District of Rohtas.
7. Smt. Nirmala Kumari, Daughter of Ram Lakhan Singh Clerk in Sudama Kashi Nath Sanskrit High School Singhauli, Dalmiya Nagar, Rohtas in the District of Rohtas.
8. Mahendra Pandey, Son of Ram Chandra Pandey The Incharge Headmaster in Shri Sanatan Dharam Sanskrit High School Sasaram, Rohtas in the District of Rohtas.
9. Vibhuti Narayan Dubey, Son of Vijay Narayan Dubey @ Nirmal Narayan Dubey Assistant Teacher in Shri Sanatan Dharam Sanskrit High School Sasaram, Rohtas in the District of Rohtas.
10. Shashi Bhushan Prasad Srivastava, Son of Krishna Mohan Lal Headmaster in Baldev Sanskrit High School, Denava, Rohtas in the District of Rohtas.
11. Smt. Swarn Rekha, Daughter of Choudhary Kanhaiya Prasad Singh Assistant Teacher in Baldev Sanskrit High School, Denava, Rohtas in the District of Rohtas.
12. Ramakant Mishra, Son of Suryadev Mishra Assistant Teacher in Baldev Sanskrit High School, Denava, Rohtas in the District of Rohtas.
13. Ravi Shankar Kumar, Son of Kemeswar Prasad Singh Assistant Teacher in Baldev Sanskrit High School, Denava, Rohtas in the District of Rohtas.
14. Braj Kishor Tiwari, Son of Dev Kumar Tiwari, Working as Assistant Teacher and Head Master in Bhartiya Aadarsh Sanskrit Prathamik Vidyalaya Brawn, Rohtas in the District of Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education,



- Department of Education, Government of Bihar, Vikash Bhawan, Patna.
2. The Special Director, Secondary Education, Incharge Sanskrit Education, Department of Education, 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, Rohtas District- Rohtas
 7. The District Programme Officer, Establishment, Rohtas
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suresh Kumar Ishwar, Advocate
For the Respondent/s	:	Mr.Standing Counsel (16)
For the Board		Mr. SS. Sundaram and Mr. Ankit, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 26-11-2024 At the outset, learned counsel for the petitioners is permitted to correct the description of respondents no. 6 & 7 mentioned in the cause title of the writ petition.
2. Heard learned counsel for the parties.
3. 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 1.04.2006 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 1.01.1986 and all monetary benefits from 01.03.1989 as like the



Government 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 date of retirement of petitioners of the aforesaid school as like the government School. And minority Madarsa 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 School. And minority Madarsa 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 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 Stat Government decision memo no. 237 dated 20.2.1990 to the petitioners as the Government School and minority madarsa school for which the petitioners are fully entitled.

4. 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.

5. Learned counsel for the respondents does not



dispute the contention made on behalf of the petitioners

6. 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) along with 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.

7. It goes without saying that if the claim of the petitioners is found admissible by respondent no.7, he shall ensure that the admissible amount must be paid to the petitioners as early as possible.

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

(Prabhat Kumar Singh, J)

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