

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19040 of 2024

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Jitendra Kumar Pandey Son of Late Hridyanand Pandey Resident of Village-
Milki Niyajipur, P.S.- Natwar, District- Rohtas.

... .. Petitioner

Versus

1. The State of Bihar through the Principal/Additional Chief Secretary of Education, Department of Education, 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, Bihar Sanskrit Shiksha Board, Bihar, Patna.
6. The District Education Officer, Rohtas, District- Rohtas.
7. The District Programme Officer, Establishment, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Suresh Kumar Ishwar, Advocate
For the Respondent/s	:	Mr. KN Jha, AC to GP 11
For the BSSB		Mr. S S Sundram and Mr. Ankit, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-12-2024

Heard learned counsel for the parties.

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 petitioner 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 petitioner 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 petitioner 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 petitioner 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 petitioner 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 State Government decision memo no. 237 dated 20.02.1990 to the petitioner as the Government School. And minority Madarsa School for which the petitioner is fully entitled under the law.

3. Learned counsel for the petitioner submits that case of the petitioner 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 petitioner.

5. In view of aforesaid facts and circumstances, this writ application is disposed of with direction to the petitioner 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 petitioner 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 allowed.

(Prabhat Kumar Singh, J)

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