

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2028 of 2025

Md. Shahajaha @ Md Shahjahan, Son of Abdus Samad, Resident of Village-Baghanda, P.O. Fatehpur, P.S.- Barsoi, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Human Resources Development, Government of Bihar. Patna.
2. The Joint Secretary, Education Department Government of Bihar. Patna.
3. The Special Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Katihar.
5. The District Education Officer, Katihar, District Katihar.
6. The District Program Officer (Establishment) Katihar, District Katihar.
7. The Bihar State Madarsa Education Board, Patna, Through Secretary Apex Tower. Haroon Nagar Colony Sector-2, P.S.-Phulwari Sharif, Patna, through its Secretary.
8. The Secretary, Madarsa Education Board, Patna, Apex Tower, Haroon Nagar Colony Sector-2, P.S.- Phulwari Sharif, Patna.
9. The Secretary, Madarsa Subhania, Baghanda Bariadangi, P.O- Fatehpur, P.S.- Barsoi, District- Katihar.
10. The Head Moulvi, Madarsa Subhania Baghanda Bariadangi, P.O- Fatehpur, P.S.- Barsoi, District- Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Md. Musowir, Adv.
For the Respondent/s	:	Mr. Standing Counsel (11)
For the Madarsa Board	:	Mr. Shahzad Hassan Khan, Adv. Md. Aslam Ansari, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-11-2025

Heard the parties.

2. Invoking the extraordinary writ jurisdiction of this Court, the petitioner seeks a direction upon the concerned respondents to ensure payment of arrears of difference of salary for the period of 01.04.2013 to 30.06.2018 in view of the



order/judgment rendered by this Court in C.W.J.C. No. 985 of 2015 as well as in C.W.J.C. No.4517 of 2021.

3. Learned Advocate for the petitioner submitted that this is not in dispute, the petitioner was appointed as Madarsa Teacher of respondent no.10 by the Managing Committee vide its resolution no.2 dated 24.07.2011 and on approval of the appointment, he was extended the pay-scale of Rs.1200-30-188 plus D.A. and other benefits. Since the petitioner had appointed prior to the issuance of Notification dated 31.08.2013 as contained in Memo No.970, he is also entitled to get the difference of salary for the period as prayed for in the instant writ petition in terms with the order of this Court passed in C.W.J.C. No. 985 of 2015 as well as in C.W.J.C. No.4517 of 2021, is the contention of the learned Advocate for the petitioner.

4. Learned Advocate for the State and the learned Advocate for the Madarsa Board submitted that for proper verification of the matter, some time is required to seek instruction(s) and file counter affidavit.

5. Having considered the nature of the grievance and the contention of the petitioner that his case is squarely covered with **C.W.J.C. No.985 of 2015 [Imran Alam & Anr. v. The**



State of Bihar & Ors.], which came to be disposed off on 27.03.2019, this Court deems it fit and proper to dispose off the present writ petition with a liberty to the petitioner to file a detailed representation before respondent no.3, the Special Director, Secondary Education, Education Department, Government of Bihar, Patna, preferably within a period of four weeks from today.

6. In case, such a representation is filed within the period stipulated, the same shall be considered and disposed off in the light of the order(s)/judgment(s) passed in C.W.J.C. No. 985 of 2015 as well as in C.W.J.C. No.4517 of 2021, preferably within a further period of eight weeks, with all the consequential benefits, if the claim of the petitioner finds favour.

7. The writ petition stands disposed off.

(Harish Kumar, J)

rohit/-

U			
---	--	--	--

