

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2731 of 2025**

1. Deepak Kumar Yadav Son of Shri Ram Krishna Yadav, Resident of Village Haldara Haat, Police Station Kursha Kata, District Araria.
2. Anand Vardhan Jha, Son of Shri Kedar Nath Jha, Resident of Village - Sukhsena East, Police Station - Barhara Kothi, District - Purnea.
3. Kumar Indra Bhushan, Son of Late Garmu Kamti, Resident of Village - Sukhsena West, Police Station - Barhara, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Joint Secretary, Education Department, Bihar, Patna.
4. The Special Director, Secondary Education, Bihar, Patna.
5. Bihar Sanskrit Shiksha Board, Patna through its Secretary.
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
7. The District Education Officer, Madhubani.
8. The District Programme Officer, Establishment, Madhubani.

... .. Respondent/s

**Appearance :**

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|----------------------|---|--------------------------------------------|
| For the Petitioner/s | : | Mr.Hemant Kumar Jha, Advocate.             |
| For the State        | : | Mr. Yogendra Prasad Sinha, AAG-7.          |
| For the BSSB         | : | Mr. Satyam Shivam Sundaram, Advocate.      |
|                      |   | Mr. Chandra Shekhar Kumar Singh, Advocate. |
|                      |   | Mr. Ankit, Advocate.                       |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      25-02-2025                      Heard Mr. Hemant Kumar Jha, learned counsel appearing on behalf of the petitioners; Mr. Yogendra Prasad Sinha, learned AAG-7 appearing on behalf of the State and Mr. Satyam Shivam Sundaram, learned counsel along with Mr. Chandra Shekhar Kumar Singh and Mr. Ankit, learned counsel appearing on behalf of the Bihar Sanskrit Shiksha Board.



2. The petitioners in paragraph no. 1 of the present writ petition has sought, *inter alia*, following relief(s), which is reproduced hereinafter:-

*“(i) Issuance of a Writ in the nature of Certiorari to quash Memo No. 3390 dated 09.07.2015 issued by the Secretary, Bihar Sanskrit Shiksha Board Patna by which direction has been given to all the District Education Officer to implement the Resolution dated 31.08.2013.*

*(ii) Issuance of a Writ in the nature of Certiorari to quash Clause 6 of the Resolution of the Education Department dated 31.08.2013 issued under the Signature of the Joint Secretary, Education Department, Bihar, Patna which says that "Posts which has fallen vacant after retirement of teaching and non-teaching employees working in 1128 Madaras and 531 non-government recognised Sanskrit Schools of different categories of the State, shall be treated to be automatically converted in the fix pay for grant by the Government with effect from 15.02.2011 and the grant shall be payable on the basis of calculation of pay fixed by the State Government for teaching and non-teaching employees appointed against all vacancies on or after 15.02.2011".*

*(iii) Issuance of a writ in the nurture of mandamus and/or any other appropriate writ, order or direction directing and commanding the respondents to consider the claim of the petitioners in terms of the order dated 27.03.2019 passed in CWJC No. 985 of 2015 and analogous cases and CWJC No. 15299 of 2015 and analogous cases, order dated 19.11.2019 passed in CWJC No. 21063 of 2019 and order dated 20.07.2022 passed in CWJC No. 14 of 2022 and to make payment of arrear as well as current salary in the prescribed regular pay scale as per Rules and Regulations of the Government.*

*(iv) Issuance of a Writ in the nature of mandamus and/or any other Writ, order or direction directing and commanding the respondents to make payment of arrear as well as current salary in the prescribed regular Pay Scale for which the teaching and non-teaching employees of the petitioners' School is entitled to as per the Rules and Regulations of the Government.”*

3. Learned counsel appearing on behalf of the petitioners submitted that in light of the order dated 27.03.2019 passed in CWJC No.985 of 2015 and analogous cases, the



petitioners seek to file a detailed representation before the Special Director, Secondary Education, Bihar, Patna (Respondent no.4) for redressal of their grievance.

4. Considering the aforesaid submission made on behalf of the petitioners, the Special Director (Respondent no.4) is directed to call for the service particulars of the petitioners and see that whether the case of the petitioners is identical to that of the petitioners of CWJC No. 985 of 2015 and they become entitled for similar relief in light of the order dated 27.03.2019 passed in the said writ petition.

5. It is made clear that this Court has not gone into the merit of the case and maintainability of the writ petition, however expeditious consideration is required.

6. Accordingly, the present writ petition stands disposed of.

**(Purnendu Singh, J)**

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