

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11513 of 2024

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Nagendra Upadhyay Son of Late Chandradev Upadhyay, resident of Village and P.O.-Rampur Kala, Police Station-Khaira, District-Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Special Secretary (Secondary Education), Education Department, Government of Bihar, Patna.
5. The Bihar Sanskrit Shiksha Board through its Secretary, Patna.
6. The Chairman, Bihar Sanskrit Shiksha Board Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board Patna.
8. The District Education Officer, Saran at Chapra.
9. The District Programme Officer (Establishment), Saran at Chapra.
10. The Headmaster, Sharda Sanskrit Primary cum Secondary School Afour, District-Saran.
11. The Accountant General Bihar Beerchand Patel Marg, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11954 of 2024

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Gautam Pathak son of Late Sawaliya Pathak, resident of Village- Dhupnagar Dhobwal, Police Station-Khaira, District-Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Special Secretary (Secondary Education), Education Department, Government of Bihar, Patna.
5. The Bihar Sanskrit Shiksha Board through its Secretary, Patna.
6. The Chairman, Bihar Sanskrit Shiksha Board Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board Patna.
8. The District Education Officer, Saran at Chapra.
9. The District Programme Officer (Establishment), Saran at Chapra.



10. The Headmaster, Sharda Sanskrit Primary cum Secondary School Afour, District-Saran.
11. The Accountant General Bihar, Beerchand Patel Marg, Patna.
... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 11996 of 2024

Lalchand Prasad son of late Manharan Prasad, resident of Village- Tarwan Parsa, Police Station- M. H. Nagar, District- Siwan.
... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Special Secretary (Secondary Education), Education Department, Government of Bihar, Patna.
5. The Bihar Sanskrit Shiksha Board through its Secretary, Patna.
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
8. The District Education Officer, Saran at Chapra.
9. The District Programme Officer (Establishment), Saran at Chapra.
10. The Headmaster, Gurukul Sanskrit High School Mehiyan, District- Saran.
11. The Accountant General, Bihar Beerchand Patel Marg, Patna.
... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 12025 of 2024

Ambika Pandit son of Late Nemilal Pandit, resident of Village and P.O.- Hariharpur, Police Station-Baniyapur, District-Saran (Chapra).
... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Special Secretary (Secondary Education), Education Department, Government of Bihar, Patna.
5. The Bihar Sanskrit Shiksha Board through its Secretary, Patna.
6. The Chairman, Bihar Sanskrit Shiksha Board Patna.



7. The Secretary, Bihar Sanskrit Shiksha Board Patna.
8. The District Education Officer, Saran at Chapra.
9. The District Programme Officer (Establishment), Saran at Chapra.
10. The Headmaster, Gurukul Sanskrit High School Mehiyan, District-Saran.
11. The Accountant General Bihar Beerchand Patel Marg, Patna.

... ... Respondent/s

with

Civil Writ Jurisdiction Case No. 12027 of 2024

Deo Kumar Sharma son of Late Vishwakarma Sharma, resident of Village-Deorhi, Police Station-Taraiya, District-Saran (Chapra).

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Special Secretary (Secondary Education), Education Department, Government of Bihar, Patna.
5. The Bihar Sanskrit Shiksha Board through its Secretary, Patna.
6. The Chairman, Bihar Sanskrit Shiksha Board Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board Patna.
8. The District Education Officer, Saran at Chapra.
9. The District Programme Officer (Establishment), Saran at Chapra.
10. The Headmaster, Union Board Sanskrit Primary School Mashrakh, Block-Mashrakh, District-Saran.
11. The Accountant General Bihar Beerchand Patel Marg, Patna.

... ... Respondent/s

with

Civil Writ Jurisdiction Case No. 12029 of 2024

Ranjit Singh son of late Rajendra Singh, resident of Village-Rasulpur, P.O. Nagra, Police Station-Nagra, District-Saran (Chapra).

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Special Secretary (Secondary Education), Education Department,



Government of Bihar, Patna.

5. The Bihar Sanskrit Shiksha Board through its Secretary, Patna.
6. The Chairman, Bihar Sanskrit Shiksha Board Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board Patna.
8. The District Education Officer, Saran at Chapra.
9. The District Programme Officer (Establishment), Saran at Chapra.
10. The Headmaster, Sharda Sanskrit Primary cum Secondary School Afour, District-Saran.
11. The Accountant General Bihar Beerchand Patel Marg, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12064 of 2024

Nand Kishor Prasad son of late Chandrika Prasad, resident of Village- Ambika Bhawani Colony, Chapra, Police Station- Bhagwan Bazar, District- Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Special Secretary (Secondary Education), Education Department, Government of Bihar, Patna.
5. The Bihar Sanskrit Shiksha Board through its Secretary, Patna.
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
8. The District Education Officer, Saran at Chapra.
9. The District Programme Officer (Establishment), Saran at Chapra.
10. The Headmaster, Gurukul Sanskrit High School Mehiyan, District- Saran.
11. The Accountant General, Bihar Beerchand Patel Marg, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12486 of 2024

Harendra Singh Son of Late Ram Pukar Singh Resident of Village- Mansar P. O. Kumna Police Station- Kopa District-Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar,



Patna.

3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Special Secretary (Secondary Education), Education Department, Government of Bihar, Patna.
5. The Bihar Sanskrit Shiksha Board through its Secreary, Patna.
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
8. The District Education Officer, Saran at Chapra.
9. The District Programme Officer (Establishment), Saran at Chapra.
10. The Headmaster, Gurukul Sanskrit High School Mehiyan, District-Saran.
11. The Accountant General, Bihar Berchand Patel Marg, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13206 of 2024

Umesh Chandra Shastri Son of Late Basudeo Shastri @ Vahudeo Shastri,
resident of village - Panjiyar Toli Ward No. - 11, Police Station - Rosera,
District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Special Secretary (Secondary Education), Education Department, Government of Bihar, Patna.
5. The Bihar Sanskrit Shiksha Board through its Secretary, Patna.
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
7. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
8. The District Education Officer, Saran at Chapra.
9. The District Programme Officer (Establishment), Saran at Chapra.
10. The Headmaster, Gurukul Sanskrit High School Mehiyan, District- Saran.
11. The Accountant General, Bihar Beerchand Patel Marg, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 11513 of 2024)

For the Petitioner/s	:	Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s	:	Mr. Akhileshwar Singh, AC to GA- 2
For the AG, Bihar	:	Mr. Arun Kumar Arun, Advocate
For the Board	:	Mr. S.S. Sundram, Advocate



Mr. Ankit, Advocate
(In Civil Writ Jurisdiction Case No. 11954 of 2024)
For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s : Mr. Advocate General
For the Board : Mr. S.S. Sundram, Advocate
Mr. Ankit, Advocate
(In Civil Writ Jurisdiction Case No. 11996 of 2024)
For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s : Mr. Standing Counsel 28
For the Board : Mr. S.S. Sundram, Advocate
Mr. Ankit, Advocate
(In Civil Writ Jurisdiction Case No. 12025 of 2024)
For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s : Mr. Advocate General
For the Board : Mr. S.S. Sundram, Advocate
Mr. Ankit, Advocate
(In Civil Writ Jurisdiction Case No. 12027 of 2024)
For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s : Mr. Addl. Advocate General 13
For the Board : Mr. Chandra Shekhar Kr. Singh, Advocate
(In Civil Writ Jurisdiction Case No. 12029 of 2024)
For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s : Mr. Addl. Advocate General 12
For the Board : Mr. Chandra Shekhar Kr. Singh, Advocate
(In Civil Writ Jurisdiction Case No. 12064 of 2024)
For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s : Mr. Addl. Advocate General 4
For the Board : Mr. Chandra Shekhar Kr. Singh, Advocate
(In Civil Writ Jurisdiction Case No. 12486 of 2024)
For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s : Mr. Addl. Advocate General (12)
For the Board : Mr. Faiz Ahmad, Advocate
(In Civil Writ Jurisdiction Case No. 13206 of 2024)
For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s : Mr. Standing Counsel 15
For the Board : Mr. Faiz Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 23-04-2025

Heard the parties.

2. Considering the identical nature of the grievance raised in all the writ petitions, with the consent of the parties, all the writ petitions are being heard together and disposed of by the common order.

3. All the petitioners are retired teachers of Non-



Government Recognized (Aided) Sanskrit Schools, and/or their heirs, who have approached this Court seeking a direction upon the concerned respondents to ensure payment of arrears of 5th and 6th Pay Revision as well as arrears of deducted provident fund from their salary with interest.

3. Mr. Bashishtha Narayan Mishra, learned Advocate for the petitioners, at the outset, has taken this Court through the resolution no. 237 dated 20.02.1990, issued by the Human Resources Department, Government of Bihar, Patna and submitted that the issue raised in all the writ petitions has finally come up for consideration before the learned Division Bench of this Court in the case of **Baidyanath Jha Vs. The State of Bihar & Ors.**, reported in **2020 (3) PLJR 848** wherein the learned Division Bench having deliberated at length has finally directed the Education Department, including the Principal Secretary, to accord the benefits of revision of pay-scales under the 5th and 6th Pay Revisions to the teachers and non-teaching staff of the Non-Government Recognized (Aided) Sanskrit Schools and Madarsa in the same manner as allowed to the teaching and non-teaching staff in the Government Schools together with dearness allowance admissible thereon.

4. It is further submitted that in order to ensure



compliance of the order of this Court, after obtaining cabinet approval, a resolution dated 01.08.2023 was issued, granting benefits of 5th and 6th pay revision, the Special Director, Secondary Education, Education Department, Bihar directed all the District Education Officers, Bihar / District Programme Officer (Establishment) of the State of Bihar to complete necessary formalities besides the estimated difference of salary after pay fixation as per schedule indicated vide Memo No. 1257 dated 08.08.2023 so that Resolution No.1204 dated 01.08.2023 be effected.

5. Mr. S. S. Sundram, learned Advocate for the Bihar Sanskrit Shiksha Board has fairly submitted that there is no confrontation with regard to the issue set at rest by the learned Division Bench of this Court, however, in any circumstance, the claim of the petitioners is required to be looked into by the concerned District Education Officer and in case the grievance of the petitioners is found admissible in the light of the decision of the learned Division Bench, necessary payment shall be made.

6. Considering the limited grievance of the petitioners and the decision of the learned Division Bench of this Court in the case of **Baidyanath Jha** (supra), this Court



deems it appropriate to dispose of all the writ petitions with liberty to the petitioners to approach before the concerned District Education Officer preferably within a period of two weeks from today.

7. In case, such representation is filed by the petitioners along with the order of this Court, the concerned District Education Officer shall be obliged to look into the grievance of the petitioner(s) and ensure payment of arrears of 5th and 6th Pay Revision as well as arrears of deducted provident fund amount preferably within a further period of ten weeks.

8. It has been impressed to this Court that various identically situated persons as well as some of the petitioners have been extended complete and partial benefits at the pick and choose basis, hence it is expected that the authorities shall maintain uniformity in making payment of the same.

9. With the aforesaid directions, all the writ petitions stand disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.04.2025
Transmission Date	NA

