

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19793 of 2024

Ashok Kumar age about 66 Years (Male) son of Late Ghuran Prasad, Resident of Village-Pokhar Kulhariya Ward no 11, P.S.- Babubarhi, District-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary Education Department Govt of Bihar Patna.
2. The Administrator Cum Chairman of Bihar Sanskrit Shiksha Board, Patna.
3. The Secretary of Bihar Sanskrit Shiksha Board, Patna.
4. The District Magistrate Madhubani Cum Public Grievance Redressal Authority of Madhubani District

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Jha, Advocate
For the State	:	Mr. Kameshwar Kumar, GP-17
For the Sanskrit Board	:	Mr. Satyam Shivam Sundaram, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-01-2025 Heard Mr. Sanjeev Kumar Jha, learned counsel appearing on behalf of the petitioner; Mr. Kameshwar Kumar, learned GP-17 appearing on behalf of the State and Mr. Satyam Shivam Sundaram, learned counsel for the Bihar Sanskrit Shiksha Board.

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

"i). For issuance of direction to the authorities concern to immediate provide the arrears of remaining dues of Rs. 27,96,109/- of the petitioner under the heading of arrears of differential amounts of 5th, 6th and 7th revised pay scale respectively, to maintain the parity with the teachers of nationalized schools since



1.1.1986 to the date of his retirement i.e. 30.6.2019 in view of judgment dated 13.8.2019 passed by the Hon'ble L.P.A bench of Patna High Court in L.P.A No. 43/2016 alongwith some other L.P.As, which is kept remains pending after making part payment of Rs. 10,02,459/- to the petitioner out of his total calculated amounts of Rs. 38,00,568/- under the aforesaid mentioned heading with statutory interest after considering the Rule 4C(1) of the Bihar State Litigation Policy 2011.

ii). For issuance of direction to the authorities concerned to ensure the arrears of remaining dues of dearness amount deposited in G.P.F account of the petitioner with statutory interest since 1.1.1985 which is remains pending for making payment after making part payment of Rs. 2,21,346/- in view of judgment dated 13.8.2019 passed by the Hon'ble L.P.A bench of Patna High Court, Patna in L.P.A No. 43/2016 alongwith other L.P.As to maintain the parity with respect to the teachers of nationalized schools.

iii). For issuance of direction to the authorities concerned to make the payment of others remaining dues of petitioner for which he is legally entitlement as per letters/circulars, issued by the Govt. of Bihar from time to time with regards to the teaching employees of Bihar non govt. recognized Sanskrit schools.

iv). For issuance of direction to the competent authorities to take legal action against the responsible authorities specific against respondent no. 6 who deliberately and deceitfully filed false affidavit on 27.3.2024 in M.J.C. No. 41/2024 before the Hon'ble High Court, Patna in contempt proceeding vide paragraph 9 stating therein that the judgment dated 22.8.2023 passed by the Hon'ble Mr. Justice Purnendu Singh in CWJC No. 11216/2023 has been complied merely on the basis of his co-called self wrong calculation charts about the remaining dues of petitioners after ignoring the memo no. 230/Patna dated 5.2.2024 issued by the Joint Secretary of Education Department of Govt. of Bihar as well as without following the previous judgment dated 22.8.2023 passed by the Hon'ble Mr. Justice Purnendu Singh in CWJC No. 11216/2023 only with intent to harass and humiliate the petitioner due to non fulfillment of the illegal demand made by the respondent no. 6 through the respondent no. 7.

v). For issuance of direction to the concerned respondents to provide the litigation cost as well as compensation amounts of his mentally and physically harassment of the petitioner that has been made due to arraying attitude of the respondents concerned."

3. Learned counsel appearing on behalf of the



petitioner submitted that his case is covered by the judgment dated 13.08.2019 passed in L.P.A. No. 43 of 2016 and analogous L.P.As and in this regard, he has filed a representation before the District Education Officer, Madhubani, however, no action has been taken to grant similar relief even in accordance with Section 4 of the Bihar Litigation Policy, 2011. Learned counsel seeks to file representation before the Additional Chief Secretary, Education Department, for redressal of his grievance as prayed for in the present writ petition.

4. Considering the submission made on behalf of the petitioner, the Additional Chief Secretary, Education Department, is directed to call for the service particulars of the petitioner, and verify, as to whether, the grievance of the petitioner is covered by the several resolutions of the State Government taken with regard to the Bihar Non-Government Recognized Sanskrit School and also the case of the petitioner is covered by the judgment dated 13.08.2019 passed in L.P.A. No. 43 of 2016 and, accordingly, dispose of the representation of the petitioner, giving reasons, expeditiously in accordance with law.

5. It is made clear that this Court has not gone into the aspect of time lapse and maintainability of the writ petition.

6. With aforesaid observation(s)/direction(s), the



present writ petition stands disposed of.

(Purnendu Singh, J)

Niraj/-

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