

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.615 of 2025

1. Md. Idris Alam Son of SK. Salimuddin @ Md. Salimuddin, Resident of Village- Gogi Pothia, P.O.- Pothia, P.S.- Simraha, District- Araria.
2. Md. Ibrahim, Son of Late Md. Sajjad Ali, at present resident at Lashkar Gaon, P.O.- Panji Parahat, P.S.- Goaal Pokhar, District- Dinazpur (West Bengal).
3. Rahmatullah, Son of Late Md. Tanweer Ahmad, Resident of Village- Bokra, Ward No. 8, P.O.- Haldia Bokra, P.S.- Simraha, District- Araria.
4. Bibi Ansari Begum, Wife of Late Md. Murshid Alam, Resident of Village- Chand Bhag, Madanpur (West), P.O. and P.S.- Madanpur, District- Araria.
5. Tajun Nisha, Wife of Late Md. Hasibur Rahman, Resident of Village and P.O.- Gaira, P.S. and District- Araria.
6. Rehana Khatoon, Wife of Late Md. Quamrul Hoda, Resident of Village- Kumari, P.O.- Nari, P.S.- Ghanshyampur, District- Darbhanga.
7. Md. Suleman, Son of Late Sheikh Ghulab, Resident at Village- Barharia, P.O.- Gaira, P.S.- Jalalgarh, District- Purnea.
8. Bibi Asura Begum, Wife of Late Md. Shamsul Haque, Resident of Village and P.O.- Gaira, P.S. and District- Araria.
9. Md. Ayaz Alam, Son of Late Md. Ilyas, Resident of Village- Dimia, P.O.- Gaira, P.S. Jalalgarh, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Bihar, Patna.
3. The Principal Secretary, Finance Department, Bihar, Patna.
4. The Bihar State Madarsa Education Board, Patna through its Secretary, 5, Vidyapati Marg, Kotwali, Patna- 1,
5. The District Education Officer, Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Raj Nandan Prasad, Advocate
For the Respondent/s	:	Mr. Hitesh Suman, AC to SC-13
For the BSMB	:	Mr. Shahzad Hassan Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL JUDGMENT

Date : 10-07-2025

Heard learned counsel for the petitioners, learned AC to SC-13 for the State and Md. Aslam Ansari, learned counsel appearing on behalf of the Bihar State Madarsa Education Board.



2. Learned counsel appearing on behalf of the petitioners submits that the instant writ application has been filed seeking a direction upon the authorities to accord the benefits of revision of pay scale under the 5th, 6th and 7th pay revision to the petitioners, who are teachers of non-government recognized (aided) Madarsa, in the same manner as allowed to the teaching and non-teaching staff in the government schools together with dearness allowance, E.P.F., insurance and other allowances admissible thereon together with payment of differential amount of salary.

3. Learned counsel appearing on behalf of the petitioners further submits that the issue raised in the instant writ application already stands adjudicated by a Division Bench of this Court in L.P.A. No. 43 of 2016 (Baidyanath Jha Vs. The State of Bihar & Ors.) Annexure-P/7. It is next submitted that L.P.A. No. 43 of 2016 was heard analogous with different L.P.As. It is also submitted that L.P.A. No. 43 of 2016 was filed against the order passed in C.W.J.C. No. 2663 of 2015.

4. Learned counsel for the petitioners submits that when C.W.J.C. No. 2663 of 2015 was filed at that time 7th Pay Revision Commission had not come, as such, the petitioner of C.W.J.C. No. 2663 of 2015 had prayed for according the benefit of revision of



pay scale under 5th and 6th pay revision only apart from other reliefs.

5. Learned counsel appearing on behalf of the State submits that a counter affidavit has been filed wherein the relief claimed by the petitioners is not denied but then the authorities are taking steps for redressing the grievance of the petitioners.

6. Learned counsel appearing on behalf of the Madarsa Board submits that the petitioners be directed to file a representation before the authority competent in terms of the order dated 13.08.2019 in L.P.A. No. 43 of 2016 and other analogous L.P.As. seeking redressal of their grievance as raised in the instant writ application on which learned counsel appearing on behalf of the petitioners submits that fresh representation would be filed before the District Education Officer, Araria on or before 08.08.2025.

7. After hearing the learned counsel for the parties, the writ application is disposed of with a liberty to the petitioners to file a fresh representation before the District Education Officer, Araria seeking redressal of their grievance as raised in the instant writ application, if any representation on behalf of the petitioners is filed before the District Education Officer, Araria, in that event, the District Education Officer, Araria shall consider and dispose of



the representation within a period of four months in accordance with law after giving proper opportunity of hearing to the petitioners.

8. The District Education Officer, Araria while disposing of the representation filed on behalf of the petitioners shall also examine as to whether the case of the petitioners is akin to the issue decided by this Court by an order dated 13.08.2019 in L.P.A. No. 43 of 2016 (Baidyanath Jha Vs. The State of Bihar & Ors.). If the District Education Officer, Araria comes to a conclusion that the case of the petitioners is not similar to the case of Baidyanath Jha Vs. The State of Bihar & Ors., in that event, reasoned order shall be passed and if the case of the petitioners is covered in terms of the order dated 13.08.2019 in L.P.A. No. 43 of 2016, in that event, the grievance of the petitioners shall be redressed within the period aforesaid.

(Satyavrat Verma, J)

Kundan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.07.2025
Transmission Date	

