

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.665 of 2025

1. Ramdeo Prasad son of Late Nandlal Prasad, resident of Village-Pure, P.S.-Lakhnaur, District-Madhubani.
2. Hari Shankar Thakur @ Hari Shnkar Thakur, son of Late Nirbhushan Thakur, resident of Village-Belauncha, P.S.-Lakhnaur, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Government of Bihar, Vikash Bhawan, Patna.
2. The Special Director, Secondary Education, Incharge Sanskrit, Education Department, Government of Bihar, Vikash Bhawan, Patna.
3. The Bihar Sanskrit Shiksha Board, Bihar, Patna through its Secretary.
4. The Chairman, Bihar Sanskrit Shiksha Board, Bihar, Patna.
5. The Secretary, the Bihar Sanskrit Shiksha Board, Bihar, Patna.
6. The District Education Officer, Madhubani, District-Madhubani.
7. The District Programme Officer, Establishment, Madhubani, District-Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suresh Kumar Ishwar, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha, GP 27
		Mr. Shankar Kr. Thakur, AC to GP 27

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-01-2025 Heard Mr. Suresh Kumar Ishwar, learned counsel appearing on behalf of the petitioners and Mr. Prabhakar Jha, learned GP 27 along with Mr. Shankar Kr. Thakur, learned AC to GP 27 for the State.

2. Petitioners have *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

“(i) For issuance of an appropriate writ, order, direction in the nature of Mandamus for commanding and directing the respondents to make



necessary correction/modification for the implementation of 6th pay scale to the petitioners with effect from 1.04.2006 and monetary benefit with all benefits from 01.04.2007 as like Government High School and Government Minority High Schools in place of 01.04.2013 for which the petitioners are entitled under the law.

(ii) For issuance of an appropriate writ, order, direction in the nature Mandamus for commanding and directing the respondents to make necessary correction/modification for the implementation of Vth pay scale to the petitioners with effect from 1.01.1986 and all monetary benefits from 01.03.1989 as like the Government High School or Minority Government High School in place of 01.04.1998.

(iii) For issuance of an appropriate writ, order, direction in the nature of Mandamus for commanding and directing the respondents to make payment of 5th pay scale with all benefits, service allowance and other service benefits from 01.03.1989 to date of retirement of petitioners of the aforesaid school as like the government High School. And minority Madarsa High School in the State of Bihar. And further respondents be directed to give payment of 6th pay scales with all benefits to the petitioners from 01.04.2007 to the date of his retirement as like Government High School. And minority Madarsa High Schools.

(iv) For issuance of an appropriate writ, order, direction in the nature mandamus for commanding of and directing the respondents to give priority in payment of salary i.e. salary allowance and other service benefits to the petitioners in the aforesaid school as like the Government High School and



Minority Madarsa School in the State of Bihar.

(v) For issuance of an appropriate writ, order, direction in the nature of Mandamus for commanding and directing the respondents to give the benefits of the respondents State Government decision memo no. 237 dated 20.02.1990 to the petitioners as the Government School. And minority Madarsa High School for which the petitioner is fully entitled under the law.

(vi) For issuance of any other reliefs for which petitioners may be found in the eyes of law.”

3. Learned counsel appearing on behalf of the respondents at the outset submitted that the Board in its meeting dated 10.02.2016 has taken a decision to implement the decision dated 28.01.2013 to cancel the order contained in Memo No.3077 dated 15.02.2002 by which recognition of the school in question has been cancelled.

4. On the other hand, learned counsel appearing on behalf of the petitioners submitted that petitioners were working as teaching staffs of the school in question. Petitioner No. 1 had superannuated in the year 2019 and Petitioner No. 2 has superannuated in the year 2015. Learned counsel further submitted that petitioners have stated in paragraph no.63 that they are very poor persons and are suffering from starvation and could not approach this Court along with other similarly situated teachers of the school and his case is covered by the



judgment/order dated 13.08.2019 passed in L.P.A. No. 43 of 2016 and other analogous cases.

5. In view of the rival submissions advanced on behalf of the parties and in view of aforesaid facts and circumstances of the case, the present writ application is disposed of with a direction to the petitioners to file a comprehensive representation before the District Programme Officer, Establishment, Madhubani (Respondent No. 7) along with all the necessary documents and details in support of their claim, in light of the judgment of this Court dated 13.08.2019 passed in L.P.A. No. 43 of 2016, along with a copy of the said judgment, within a period of six weeks from today.

6. The District Programme Officer, Establishment, Madhubani (Respondent No. 7) shall dispose of representation, in accordance with law, after hearing the parties, by a reasoned and speaking order, preferably within a period of six months from the date of filing of the representation, considering the very pathetic financial stage of the petitioners, which has been explained in paragraph no.63 of the writ petition.

7. It is made clear that petitioners are claiming for payment of salary and other admissible dues only for the period they were working and before the cancellation of recognition of



the school in question, i.e. 10.02.2016. The District Programme Officer (Establishment) must not further delay in making payment of admitted dues soon considering the pathetic financial condition of the petitioner as early as possible.

(Purnendu Singh, J)

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