

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2295 of 2026

Prem Prakash Sinha Son of Late Maheshwar Prasad Sinha Resident of
129/15, S. P. Awas, Behind B. D. Public School, Thana Road, Buddha Colony,
P.S.- Buddha Colony, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The District Education Officer, Bhojpur.
4. The District Programme Officer, Bhojpur.
5. Bihar Sanskrit Siksha Board Patna, through its Secretary.
6. The Managing Committee of Sanskrit High School, Andhari, P.S.- Sahar, Bhojpur, Ara through its Secretary.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suraj Narain Yadav
For the Respondent/s	:	Mr.Standing Counsel (28)
For the BSSB	:	Mr. Satyam Shivam Sundaram, Advocate
		Mr. Ankit, Advocate
		Mr. Aman Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

“For issuance of a writ in the nature of



mandamus and/or any other appropriate writ, order or direction commanding upon the Respondents to pay the arrear of difference of salary after pay fixation in 5th pay revision w.c.f 01.03.1989 and further pay fixation in 6th pay revision w.e.f 01.04.2007 in view of the resolution of State Government as contained in Memo no.- 1204 dated 01.08.2023 which has been taken in the light of the order dated 30.08.2011 passed in CWJC No. 8271 of 1999 and the order dated 13.01.2019 passed in LPA No.- 43 of 2016 and further to pay the interest @ 12% per annum on the payable amount to the petitioner from the date when he became entitled for the same till the date, the amount is paid. “

3. Learned counsel for the petitioner by referring to Annexure-P/4, which is a resolution issued by the Department of Education, as contained in Memo No.1204 dated 01.08.2023 submits that the petitioner is entitled to pay fixation, as per 5th and 6th pay revision and upon such revision, arrears of difference of salary for which the petitioner becomes entitled, may also be directed to be paid by the respondents. It has next been submitted that similarly situated persons in whose favour directions were issued and upon filing of contempt petition and during its pendency, the payment of difference of salary after making appropriate revision has been paid in light of the judgment / order passed by a Co-ordinate Bench of this Court in ***Surendra Mishra and Others v. The State of Bihar and Others***



passed in C.W.J.C. No.8271 of 1999.

4. On similar subject, a Co-ordinate Bench of this Court has also adjudicated similar issues, which can be referred from the order dated 01.11.2025 passed in C.W.J.C. No.1687 of 2025, (*Nityanand Prasad and Others v. The State of Bihar and Others*) which is appended with the writ petition as Annexure-P/6.

5. On the other hand, learned counsel for the State and learned counsel for the Board submits that issues have already been given quietus by issuing a resolution and as also, in view of the judgments rendered by a Co-ordinate Benches of this Court and accordingly, appropriate directions may be issued to the District Education Officer, Bhojpur, to take a final decision, strictly in consonance with the resolution, and the judgments rendered by a Co-ordinate Bench.

6. Considering the submission of the parties, this Court directs the District Education Officer, Bhojpur, to take a final decision strictly in consonance with the judgments rendered by Co-ordinate Benches of this Court in C.W.J.C. No.8271 of 1999, Surendra Mishra (*supra*) and C.W.J.C. No.1687 of 2025, Nityanand Prasad (*supra*) and the resolution, within a period of eight weeks from the date of representation



with all supportive materials, which is proposed to be filed by the petitioner within a period of four weeks from today.

7. With the aforesaid observations / directions, the writ petition stands disposed of.

(Ajit Kumar, J)

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