

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3998 of 2026

1. Devanti Devi Wife of Late Sita Ram Pathak, resident of village and P.S.- Nawanagar, District- Buxar.
2. Jhuniya Devi, Wife of Late Devdhari Singh, resident of Village- Chunni, P.S. - Buxar Muffasil, District- Buxar.
3. Maya Devi, Wife of Late Umakant Pandey, resident of village and P.S.- Nawanagar, District- Buxar. That the husband of petitioner no. 1 was Assistant Teacher and Husband of petitioner no. 2 was clerk in the Adarsh Sanskrit Uchcha Vidyalaya Chunni, Buxar and husband of petitioner no. 3 was Assistant Teacher in Satya Narayan Sanskrit High School Nawanagar Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Human Resources Development Department Government of Bihar, Vikash Bhawan, Patna.
2. The Special Director, Secondary Education Incharge Sanskrit, Education Department, Government of Bihar, Vikas 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, Buxa, District- Buxar.
7. The District Programme Officer, Establishment, Buxa, District- Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suresh Kumar Ishwar, Adv.
For the State	:	Mr. Prashant Pratap, GP2
For the BSSB	:	Mr. S.S. Sundaram, Adv.
		Mr. Ankit, Adv.
		Mr. Aman Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-03-2026 The instant writ application has been filed for the following relief:-

“(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 Schools and Government Minority 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 of 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 School or Minority Government 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 deceased husband of the aforesaid school as like the government School. And minority Madarsa 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 School. And minority Madarsa Schools.

(iv) For issuance of an appropriate writ,



order, direction in the nature of mandamus for commanding and directing the respondents to give priority in payment of salary i.e. salary allowance and other service benefits to the petitioners the deceased husband in the aforesaid school as like the Government Schools 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 Stat Government decision memo no. 237 dated 20.02.1990 to the petitioners deceased husband as the Government School. And minority Madarsa School for which the petitioner is fully entitled under the law.”

2. Counsel for the petitioners submits that the issues, with regard to revised 5th and 6th pay-scale, have already been put at rest by this Court vide order dated 13.08.2019 passed in the case of Baidyanath Jha Vs. The State of Bihar & Ors. (LPA No. 43 of 2016 and its analogous cases) and the petitioners, who are teachers and non-teaching staffs, are also entitled for such revision but, for the reason best known to the authorities, the same has not been extended to them.

3. On the other hand, counsel for the State submits that the petitioners may be directed to file their individual representation including their job profiles



with all supportive materials of the deceased employee before the authority concerned within a period of four weeks from today.

4. Considering the aforesaid submission of the parties, this Court finds it appropriate to direct the respondent no.7 to adjudicate the claim of the widow petitioners with regard to revision of 5th and 6th pay-scale by passing necessary orders strictly in consonance with the order passed by this Court in the case of Baidyanath Jha (supra).

5. If the claim of the deceased employees are found to be justified, then necessary order, adjudicating the claim of the petitioners, shall be passed within a period of eight weeks from the date of filing of the job-profiles by the petitioners, which shall also be communicated to petitioners and the benefits, for which the petitioners are entitled, shall also be extended to them within the same period of eight weeks.

6. With the aforementioned observation and direction, the writ petition stands disposed of.

(Ajit Kumar, J)

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