

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12843 of 2017

1. Gopal Jha and Ors S/o Late Rama Kant Jha, Resident of Village- Malahi, P.S.- Sursand, District- Sitamarhi, Presently working as Incharge Headmaster Ramanujiya Sanskrit Madhyamik Vidyalaya, Nawahi, Sursand, District- Sitamarhi.
2. Shiv Kumar Jha, S/o Late Rupkant Jha, Resident of Village- Banki, P.S.- Madhepur, District- Madhubani, Presently working as Assistant Teacher, Ramanujiya Sanskrit Madhyamik Vidyalaya, Nawahi, Sursand, District- Sitamarhi.
3. Badri Narayan Tiwari, S/o Late Gulam Tiwari, Presently resident of Village- Kuari, P.S.- Sursand District- Sitamarhi, working as Assistant Teacher Ramanujiya Sanskrit Madhyamik Vidyalaya, Nawahi, Sursand Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Human Resources Development Department, Department of Education, Bihar, Patna.
2. The Director, Secondary Education, Human Resources Development Department, Bihar, Patna.
3. The Special Director, Secondary Education, Bihar, Patna.
4. The Bihar Sanskrit Shiksha Board, Patna through its Secretary.
5. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
6. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
7. The District Education Officer, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Murlidhar Mishra, Adv.
For the Respondent/s : Mr. Jai Prabhat Kishore, AC to SC-13

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

6 16-01-2026 Learned counsel for the petitioners as well as learned counsel for the respondents-State are present.

2. With the consent of the parties the present writ application is disposed of at this stage.

3. In the present writ application the petitioner has prayed for the grant of following reliefs:



“For issuance of a writ in the nature of mandamus directing the respondents to make the payment arrear/dues and difference of salary after fixing the appropriate pay scale of the petitioners as the Assistant Teachers on granting and treating the service of the petitioners from the date of their approval to the appointment of the services of the petitioners continuously in the service of the school namely Ramanujiya Sanskrit Madhyamik Vidyalaya, Nawahi, Sursand Sitamarhi (hereinafter refer to as the school) and further for issuance of an appropriate writ order order/direction directing the respondents to grant all the consequential benefits to the petitioners as an Assistant Teachers in the School in accordance with law.”

4. Learned counsel for the petitioners submits that all the three petitioners have been paid their arrears/dues and difference of salary after fixing the appropriate pay scale as Assistant Teacher and therefore, substantial part of the relief claimed by the petitioners has been given to the petitioners. He, however, submits that the petitioners are also entitled to consequential benefits, which have not been given to the petitioners and for that he wants to file a representation before the District Education Officer, Sitamarhi. He, therefore, prays that the District Education Officer, Sitamarhi may be directed to



entertain the representation of the petitioners and dispose of the same within a fixed time frame, after giving an opportunity of hearing to the petitioners.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsel appearing for respondents-State does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel appearing for the petitioners, this writ application is disposed of granting liberty to the petitioners to file a representation before the District Education Officer, Sitamarhi for claiming consequential benefits. The said representation must be filed by the petitioners within one month from the date of passing of this order and if such a representation is filed, the same shall be disposed of within a period of six months from the date of filing of the representation, after giving an opportunity of hearing to the petitioners. Needles to emphasize that the final order which shall be passed by the District Education Officer, Sitamarhi should be a reasoned and speaking order. It is also made clear that in case the petitioners are found entitled to the consequential benefits, which the petitioners would be claiming through the representation, the same should be extended to the



petitioners within a further period of three months from the date of from the date of passing of the final order by the District Education Officer, Sitamarhi.

7. With the aforesaid observation and direction and liberty granted to the petitioners, the present writ application stands disposed of. Pending I.As, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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