

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8497 of 2026

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Mahendra Prasad Mishra son of Late Ram Babu Mishra, resident of Mohalla-
Ward No.4, Roy Tola, P.O and Police Station-Pator, District-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar.
3. The Special Director (Secondary Education), Govt. of Bihar, Patna.
4. The District Education Officer, Darbhanga.
5. The District Programme Officer (Establishment), Darbhanga.
6. The Bihar Sanskrit Shiksha Board through Secretary, Bihar, Patna.
7. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
8. The Secretary, Bihar Sanskrit Shiksha Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shree Kant Pandey, Advocate
For the Responder/s	:	Mr. Government Pleader (5)
		Mrs. Shalini, AC to GP-5
For the BSSB	:	Mr. Satyam Shivam Sundaram, Advocate
		Ms. Ankita, Advocate
		Mr. Aman Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-06-2026 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 directing and commanding the
respondent authorities to make payment of arrears
by way of differential amount of salary in the
Revised Pay Scale under 5th, 6th and 7th Pay
Revision in the same manner as allowed to
teaching and non-teaching staffs of Government*



Schools together with Dearness Allowance with Statutory interest admissible and petitioner case fully covered with Division Bench of this Hon'ble Court vide order dated 13.8.2019 passed in L.P.A.No.43 of 2016 reported in 2020 (3) P.L.J.R. Page 848 (ii) against that order, State Government of Bihar filed Appeal before Hon'ble Supreme Court vide Special Leave Petition (Civil) Diary No.3346/2021 and Hon'ble Supreme Court vide order dated 26.2.2021 dismissed the appeal and after that State Government of Bihar, filed Civil Review No.151 of 2021, against L.P.A. order dated 13.8.2019 which is also dismissed vide order dated 15.5.2023 but authorities not paid the different of arrear of salary and/or pass appropriate order or orders as deem fit and proper and disposed of representation of petitioner which is pending before authorities.

3. Learned counsel for the petitioner by referring to Annexure-P/3, which is a resolution issued by the Department of Education, as contained in Resolution No.970 dated 31.08.2013 submits that the petitioner is entitled to pay fixation, as per 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*)

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 Programme Officer (Establishment), Darbhanga, 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 Programme Officer (Establishment), Darbhanga, 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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