

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14245 of 2025

1. Indra Shekhar Mishra Son of Suresh Mishra Resident of Village Thalwara, Ward no 7, PO Thalwara, District Darbhanga.
2. Sudhanshu Kumar Mishra son of Sri Suresh Mishra, resident of Mohalla and Village-Thalwara, Ward No.7, P.O.-Thalwara, District-Darbhangha.
3. Bandana Kumari d/o Late Jai Shankar Chaudhary, resident of village-Makhanpur, P.O.-Basha Mirjapur, District-Darbhangha.
4. Kiran Kumari d/o Sri Krishna Kumar Jha, resident of village-Sahora, P.O. Anandpur, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Secretary, Education Department Govt. of Bihar, Patna.
3. The Joint Secretary, Education Department Govt. of Bihar, Patna.
4. The Special Director (Secondary Education) Govt. of Bihar, Patna.
5. The District Education Officer Darbhanga.
6. The District Programme Officer (Establishment) Darbhanga.
7. The Chairman, Bihar Sanskrit Shiksha Board Patna.
8. The Secretary, Bihar Sanskrit Shiksha Board Patna.
9. The Head Master, Maharani Laxmishwari Sanskrit Prathmik and Middle School Laxmipur, Anandpur, Darbhanga.
10. The Secretary of the Managing committee of Maharani Laxmishwari Prathmik and Middle School Laxmipur, Anandpur, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shree Kant Pandey, Adv.
For the Respondent/s	:	Mr. Upendra Pratap Singh, AC to SC-4
For the BSSB	:	Mr. Satyam Shivam Sundaram, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 06-07-2026 Heard learned counsel for the petitioners, learned counsel for respondent-State and learned counsel for Bihar Sanskrit Shiksha Board, Patna.

2. With the consent of the parties, this writ application



is being disposed of at this stage itself.

3. The petitioners have prayed for the grant of following reliefs:

“1. That this is an application for issuance of a writ in the nature of mandamus directing the respondent authorities to pay the regular pay scales/ revised pay scale according to Vth, VIth and 7th regular pay scale to the petitioners who are Assistant Teachers in Maharani Laxmishwari Prathmik and Middle School, Laxmipur, Anandpur, Darbhanga (in short school) in the light of Resolution No.970 dated 31.8.2013, instead the fixed pay scales, regular/ revised pay scales should be paid, because they are appointed by Managing Committee as Assistant Teacher prior to 31.8.2013, in recognized school by State Govt. and aid given to school, prior to the appointment of petitioners by State Government and paid regular salary same as given to Madarsa and Sanskrit School Teachers by Government vide Memo No.1133 dated 18.7.2023 and Memo No.1166 dated 24.7.2023 issued under the signature of Joint Secretary, Education Department, Govt. of Bihar and on basis of Bihar Litigation Policy-2011 and order passed by Hon'ble Court in case reported in 2020 (4) PLJR 189 as petitioners are similarly situated persons and their case fully covered with above case and/or pass appropriate order/orders as deem fit and proper.”

4. Learned counsel appearing for petitioners submits



that the issue involved in this writ application is no longer *res integra* as the same is squarely covered by a Division Bench judgment of this Court in the case of **Imran Alam & Anr. vs. The State of Bihar & Ors.** reported in **2020(4) PLJR 189**, a copy of which has been brought on record by way of Annexure-P/5. He further submits that in this regard the petitioner has already filed a representation before the District Programme Officer (Establishment), Darbhanga on 14.05.2025 (Annexure-P/8) and the same continues to be pending till date. He, therefore, submits that the petitioners would be satisfied if an appropriate direction could be issued to the District Programme Officer (Establishment), Darbhanga to dispose of the pending representation of the petitioners, within a fixed time frame, after giving an opportunity of hearing to the petitioners.

5. To the aforesaid submissions made by learned counsel for the petitioners, learned counsels appearing for the respondents parties do not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of directing the District Programme Officer (Establishment), Darbhanga to dispose of the pending representations of the petitioners dated 14.05.2025 within six



months from the date of receipt/production of a copy of this order, after giving an opportunity of hearing to the petitioner.

7. Needless to emphasize that the final order which shall be passed by the District Programme Officer (Establishment), Darbhanga should be a reasoned and speaking order and if the petitioners are found entitled to the relief which the petitioners have claimed through the representations, the same should be extended to the petitioners within a further period of three months from the date of passing of the final order.

8. With the aforesaid observation and direction the present writ application is disposed of. All pending I.A.(s), if any, will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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