

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5 of 2026

1. Sunil Kumar Sharma son of Bhagwat Sharma, resident of Village- Harpura, P.S.-Vikram, District- Patna.
2. Ghanshyam Sharma, son of Ram Avtar Sharma, resident of Village-Bhori, P.S.-Tekari, District- Gaya Jee.
3. Ramanuj Singh, son of Late Adya Sharma, resident of Village-Bhori, P.S.- Tekari, District- Gaya Jee.
4. Ram Uday Sharma, son of Rajendra Sharma, resident of Village-Bhori, P.S.- Tekari, District- Gaya Jee.
5. Upendra Sharma, son of Parmanand Sharma, resident of Village-Shekhpora, P.S.-Nauwatpur, District- Patna.
6. Ramuday Sharma, son of Nand Kishor Sharma, resident of Village-Mera, P.S.-Nauwatpur, District- Patna.
7. Madan Mohan Mishra, son of Late Parmanand Mishra, resident of Village-Uttrain, P.S.-Panchanpur, District- Gaya Jee.
8. Dayanand Pathak, son of Late Ram Sarup Pathak, resident of Village-Dariyapur Rajaipur, P.S.-Tekari, District- Gaya Jee.
9. Shivdatt Sharma, son of Late Vishnubalav Sharma, resident of Village-Ekranga, P.S.-Uphara, District-Aurangabad.
10. Sunil Kumar Mishra, son of Late Jugal Kishore Mishra, resident of Village-Reyasat Pawai, P.S.- Reyasat Pawai, District- Gaya Jee.
11. Sarowar Tiwari, son of Ramdas Tiwari, C/O Late Kamta Sharma, resident of Village-Uchaila, P.S.- Sakurabad, District- Jehanabad.
12. Vaidehi Sharan Sharma, son of Dindayal Sharma, resident of Village-Ganhariya, P.S.- Harlakhi, District- Muzaffarpur.
13. Upendra Sharma, son of Jagdish Sharma, resident of Village-Bhori, PS Tekari, District- Gaya Jee.
14. Kalindi Kumari, wife of Vikash Kumar, resident of Village-Bargaon, P.S.- Konch, District- Gaya Jee.
15. Sharwan Kumar, son of Sitaram Sharma, resident of Village-Bhori, P.S.- Tekari, District- Gaya Jee.
16. Durga Devi, wife of Late Nagendra Nath Mishra, resident of Village-Dhoraiya, P.S.-Wazirgnaj, District- Gaya Jee.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department Government of Bihar, Vikash Bhawan, Patna.
2. The Special Director, Secondary Education, Incharge Sanskrit, Education Department, Government of Bihar, Vikash 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, Gaya, District- Gaya Jee.
7. The District Programme Officer, Establishment, Gaya, District- Gaya Jee.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar, Adv.
For the Respondent/s : Mr. Raghwendra Kumar, SC-22
Mr. Satyam Shivam Sundaram, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 16-03-2026 Heard learned counsel for the petitioners, learned counsel for Bihar Sanskrit Shiksha Board and learned counsel for respondents-State.

2. With the consent of all the parties, the present writ application is being disposed of at this stage itself.

3. In the present writ application the petitioners have prayed for the grant of following reliefs:

“(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 Schools or Minority Government Schools 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 to the petitioners in the aforesaid school as like the Government Schools. And minority Madarsa Schools in the State of Bihar. And further respondents be directed to give payment of 6th pay scales with all benefits to the petitioners as like Government Schools 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 of the aforesaid school to the petitioners Assistant Teacher 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 State Government decision memo no.237 dated 20.02.1990 of the aforesaid school to the petitioners as like Government School. And minority Madarsa Schools for which the petitioners are fully entitled under the law.

(vi) For issuance of any other reliefs which petitioners may be found in the eyes of law.”

4. While advancing some argument, learned counsel appearing for the petitioners submits that this case is fully covered by the judgment and order dated 13.08.2019 passed by the Division Bench of this Court in LPA No.43 of 2016 and other analogous cases, which has been brought on record by way of Annexure-P/8.

5. Learned counsel for the petitioners, therefore, submits that he is prepared to file a representation before the District Programme Officer (Establishment), Gaya for the grant of aforesaid relief in terms of the judgment and order dated 13.08.2019 passed in LPA No.43 of 2016 and other analogous cases and further prays that an appropriate direction be issued to the District Programme Officer (Establishment), Gaya to dispose of the representation filed by the petitioners within a fixed time frame, after giving an opportunity of hearing to the petitioners.



6. To the aforesaid prayer being made by learned counsel for the petitioners, learned counsel appearing for Bihar Sanskrit Shiksha Board and learned counsel for respondents-State do not have any objection.

7. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of granting liberty to the petitioners to file a representation before the District Programme Officer (Establishment), Gaya relying upon the judgment and order dated 13.08.2019 passed in LPA No.43 of 2016 and other analogous cases, within one month from the date of passing of this order. If such a representation is filed by the petitioners, the same shall be disposed within a further period of three months from the date of filing of the representation, after giving an opportunity of hearing to the petitioners. Needless to emphasize that the final order which shall be passed by the District Programme Officer (Establishment), Gaya should be a reasoned and speaking order. It is further made clear that in case the petitioners are found entitled to the relief, which they would be claiming through the representation, then 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 and liberty as granted, 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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