



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18930 of 2025

Dayakant Mishra Son of Late Mukti Nath Mishra, Resident of mohalla-Diwani Takiya Bela More, P.S- L.N.M.U. Darbhanga, District- Darbhanga, At present Donar member of Jatadhar Sanskrit Primary cum Middle School Kharakh, P.S- Bhairav Asthan District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary Education Department Govt. of Bihar, Patna.
2. The Special Director of Secondary Education Department, Govt. of Bihar, Patna.
3. The Bihar Sanskrit Shiksha Board, Patna through its Secretary.
4. The Chairman of Bihar Sanskrit Shiksha Board, Patna.
5. The Secretary of Bihar Sanskrit Shiksha Board, Patna.
6. The Head Assistant namely Sri Bhawnath Jha, Bihar Sanskrit Shiksha Board, Patna.
7. Smt. Durga Jha, Wife of Bhawnath Jha, Assistant teacher of Daiya Sanskrit Primary cum Middle School Alpura, P.S- Rudrapur, District- Madhubani, At present working as an Assistant teacher on so called deputation in Jatadhar Sanskrit Primary cum Middle School Kharakh, P.S- Bhairav Asthan, District- Madhubani.
8. Chandan Kumar Jha, Assistant teacher of Tejdhari Nandan Sanskritochha Vidyalya Ishapur, P.S- Pandoul, Dist.- Madhubani.
9. Raghvendra Jha, Assistant teacher of Tejdhari Nandan Sanskritochha Vidyalya Ishapur, P.S- Pandoul, Dist.- Madhubani.
10. Rohit Kumar Jha, Assistant teacher of Kankali Sanskrit High School, Bhour, P.S- Pandoul, Dist.- Madhubani.
11. Deepak Kumar, Assistant teacher of Kankali Sanskrit High School Bhour, P.S- Pandoul, Dist.- Madhubani.
12. Kalyani Kumari, Assistant teacher of Gouri Shankar Bhesh Nath Sanskrit Vidyalya Gangoli, P.S.- Pandoul, Dist- Madhubani,
13. Amit Kumar Jha, Assistant teacher of M.M. Sachal Sanskrit Vidyalya Pahitola, P.S- Pandoul, Dist.- Madhubani.
14. Krishna Kumar @ Pappu Kumar, Assistant teacher of Saraswati Bhawan Jaykant Sanskrit High School, Chikna, P.S- Ghoghardiha, Dist- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Jha, Adv
For the State	:	Mr. Alok Ranjan, AC to AAG-5
For the Board	:	Mr. Satyam Shivam Sundram, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA





ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioner, learned counsel for the Bihar Sanskrit Shiksha Board and learned counsel for the respondent-State.

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

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

(i). For issuance of direction to the authorities concern to immediate compliance the joint enquiry report made by the Additional Secretary, Joint Secretary and Special Director (S.E) of education department of the govt. of Bihar on 7.1.2025 in pursuance to the direction issued by the Additional Chief Secretary Education Department of Govt. of Bihar after receiving complain from the hand of petitioner with regard to illegality/irregularities committed in the appointment/deputation of the respondent no. 7 to 14 and others by the respondent no. 6 after misutilization of his post in various non got. Recognized financial aided Sanskrit schools of the Madhubani district.

(ii). For issuance of direction to the authorities concerned to ensure the fair





and impartial function of the Bihar Sanskrit Shiksha Board, Patna (respondent no. 3 to 6) with regard to appointment of teachers and non teaching employees in the Bihar Non Govt. Recognized financial aided affiliated Sanskrit schools in Bihar with extent to save the existence of imparting of Sanskrit education among the local people in Bihar.

(iii). For issuance of direction to the authorities concerned to follow the Rules and Regulations of Bihar Non Govt. Recognized Sanskrit School teachers/non teaching employees service condition Rules 2015 and Bihar Non Govt. Sanskrit Schools Service Condition Rules 1993 properly at the time of granting of approval of the appointment of teaching/non teaching employees of the Sanskrit schools in Bihar so that, qualitifull Sanskrit education can be imparted among the local people and as such abstained from appointment of ineligible persons on the post of teachers.

(iv). For issuance of direction to the competent authorities to take needful and necessary action against the responsible respondents who willfully disobeyed the enquiry report dated 7.1.2025 made by the higher authorities as annexure-3 and as such trying to save the skin of respondent no. 6 and other from the eye of law.





4. After advancing some argument, learned counsel for the petitioner submits that for the reliefs claimed for in the present writ application, the petitioner has already filed a representation dated 05.09.2025/09.09.2025 before the respondent no. 5 i.e. the Secretary of Bihar Sanskrit Shiksha Board, Patna vide Annexure- P/4, which is still pending. Learned counsel for the petitioner further submits that he would be satisfied if an appropriate direction be issued by this Court to the Secretary of Bihar Sanskrit Shiksha Board, Patna to dispose of the representation of the petitioner on merit after giving an opportunity of hearing to the petitioner, within a fixed time frame by passing a reasoned and speaking order.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsels appearing for the Bihar Sanskrit Shiksha Board and respondent-State do not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of directing the Secretary of Bihar Sanskrit Shiksha Board, Patna to dispose of the representation filed by the petitioner dated 05.09.2025/09.09.2025 vide Annexure-P/4 on merit after giving an opportunity of hearing to the petitioner, by





passing a reasoned and speaking order. The entire exercise must be completed by the Secretary of Bihar Sanskrit Shiksha Board, Patna within four months from the date of production of a copy of this order by the petitioner.

7. With the aforesaid observation/direction, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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