

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19883 of 2015

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1. Shashi Dhar Jha, son of Sri Sitam Ram Jha, resident of Village- Damodarpur, P.O.- Rannuchak, P.S.- Akbarnagar, District- Bhagalpur.
 2. Shankar Deo Mishra, son of Late Bindhyeshwar Mishra, resident of Village+Post- Sultanganj, Infront of Bari Post Office, P.S.- Sultanganj, District- Bhagalpur
 3. Premlata Devi wife of Shri Vinod Choudhary, resident of Village- Maheshi, Post- Tilakpur, P.S.- Sultanganj, District- Bhagalpur.
 4. Indrakant Jha, son of Late Surendra Jha, resident of Village/Mohalla- Krishnagarh, Sultanganj, P.O.+P.S.- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
2. The Director, Secondary Education, Education Department, Govt. of Bihar, Patna
3. The Special Director, Secondary Education, Education Department, Govt. of Bihar, Bhagalpur
4. District Education Officer, Bhagalpur.
5. The Bihar Sanskrit Shiksha Board, Patna through its Secretary
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna
7. The Headmaster, Vikramshila Vaidic Sanskrit High School, Sultanganj, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Shashi Priya Pathak
For the Respondent State: Mr. AC to AAG 4
For the Sanskrit Shiksha Board : Mr. S. S. Sundaram
Mrs. Kumari Sujata Sinha
For Respondent No.7 : Mr. Subodh Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 08-04-2016

As per the counsel for the petitioner the origin of the whole dispute related to clash of interest between petitioner No.4 and private respondent No.7. Both these persons have been fighting for control of the school in question. There have been many rounds of litigation.



In the clash of egos petitioner Nos. 1 to 3 have been unnecessarily dragged into and they are not being paid their salary on the ground that they have been absent. This position has been seriously contested and denied. Stand of the petitioners is that the private respondent purposely and deliberately prevented these petitioners to mark their attendance in the school to show them to be absent. They raised the issue before the District Education Officer and have been marking their attendance in yet another register.

Petitioner No.4 has retired now. Therefore, the cause of friction between respondent No.7 and petitioner No.4 is gone. Respondent No.7 is the uncrowned king as of now and it is hoped and expected that as being the head of the institution he has due magnanimity within him to head the institution.

Bereft of all these issues, respondent No.7 is directed dispassionately consider the plea of the petitioners for payment of salary. Since respondent No.7 will be the certifying authority, based on which authorization for payment will be made by the District Education Officer, petitioner will place their evidence and grievance before respondent No.7 as well as the District Education Officer. It is hoped and expected that bad blood created shall now rest and a decision in conformity with the facts will be taken within eight weeks from the date petitioners place their matter before the respondents

concerned.

The Court deliberately did not comment upon the order of the Joint Director because the Court would not like to precipitate the matter any further but it doubts the veracity and correctness of the said decision.

Writ application stands disposed of with above observation/direction.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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