

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18505 of 2016

1. Dhananjay Yadav, son of Shivaji Yadav, resident of village - Hathikhala, P.S. - Phulwariya, District - Gopalganj.
2. Sunita Kumari wife of Shankar Singh resident of village - Jataha, P.S. - Phulwariya, District - Gopalganj.
3. Kumari Binu wife of Binod Kumar Tiwari resident of village - Kashi Tengrahi, P.S. Mahammadpur, District - Gopalganj.
4. Nasim Ansari son of Latif Ansari resident of village - Sarfara, P.S. - Barauli, District - Gopalganj.
5. Kanhaiya Lal Ram son of Jagdamba Ram resident of village - Mishravaliya, P.S. Manjhagarha, District - Gopalganj.
6. Kumari Manju Kumari Wife of Amit Prasad resident of village - Manjha Sudha Sah Ke Tola, P.S. - Manjhagarha, District - Gopalganj.
7. Happi Kumari wife of Birjeshwar Kumar Singh resident of village - Harpur, P.S. Uchkagaun, District Gopalganj.
8. Amritesh Kumar son of Mahadev Singh resident of village - Rewatith, P.S. - Baikunthpur, District - Gopalganj.
9. Maya Kumari wife of Mirtunjay Kumar Singh resident of village - Songarhwa, P.S. - Phulwariya, District - Gopalganj.
10. Rajesh Kumar Singh son of Late Bageshwari Prasad Singh resident of village - Nadhana, P.S. - Barauli, District - Gopalganj.
11. Kumari Nityanand Rai wife of Achal Singh resident of village Manjha, Jantoli, P.S. - Manjhagarha, District - Gopalganj.
12. Priya Kumari daughter of Sri Harinath Singh resident of village - Loharwara, P.S. - Manjha, District - Gopalganj.
13. Jitendra Chaudhary son of Sri Ganesh Chaudhary resident of village - Karanpur, P.S. Manjha, District - Gopalganj.
14. Achal Singh son of Sri Vinay Singh resident of village - Manjha Jantoli, P.O. + P.S. Manjhagarh, District - Gopalganj.
15. Chhotelal Chaudhary son of Bhikhi Chaudhary resident of village - Devapur Purdil Tola, P.S. - Manjha, District - Gopalganj.
16. Pankaj Kumar Singh son of Late Paras Singh resident of village Manjha Birti Tola, P.O. + P.S. - Manjha, District - Gopalganj.
17. Sunita Kumari son of Saroj Kumar Singh resident of village - Barabaur Panchpatiya, P.S. - Barauli, District - Gopalganj.
18. Rani Kumari son of Sri Vinay Singh resident of village - Manjhagarha Jantoli, P.S. Manjhagraha, District - Gopalganj.
19. Tarkeshwar Choubey son of Sri Dwarika Choubey resident of village - Koeni, P.S. - Manjhagarha, District - Gopalganj.
20. Rina Kumari wife of Pawan Kumar Pandey resident of village - Chhatiwana, P.S. - Thawe, District - Gopalganj.
21. Navneet Kumar son of Sri Suresh Singh resident of village - Manjha, P.S. Manjha, District - Gopalganj.
22. Mamta Kumari son of Dipak Kumar resident of village - Madhopur, P.S. - Barauli, District - Gopalganj.
23. Md. Sahabuddin son of Md. Jalaluddin resident of village - Madhopur, P.S. - Barauli, District - Gopalganj.
24. Kumari Amartia wife of Manoj Kumar resident of village - Rampur Kala, P.S. - Phulwariya, District - Gopalganj.



.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Dept. of Education, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.
6. The Block Education Officer Hathua, Gopalganj.
7. The Block Education Officer Manjha, Gopalganj.
8. The Block Education Officer, Uchkagaun, Gopalganj.
9. The Block Education Officer, Fulwaria, Gopalganj.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 13698 of 2017

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1. Pradeep Kumar Singh, Son of Anardan Singh, Resident of Villag-e Hasanpur, P.S.- Sindhwaliya, District-Gopalganj.
2. Alka Kumari, Wife of Ganesh Kumar, Resident of Village- Hasanpur, P.S.- Sindhwaliya, District-Gopalganj.
3. Kumari Sarika, Ray Daughter of Anand Madhav Ray, Resident of Village- Sahladpur, P.S. Manjhagarh, District- Gopalganj.
4. Kumari Binda Ray, Wife of Ajay Kumar Singh, Resident of Village- Hasanpur, P.S.- Sindhwaliya, District-Gopalganj.
5. Mukesh Kumar Singh, Son of Ramashish Singh, Resident of Village- Karsaut, P.S. - Duraundha, District- Siwan.
6. Ragini Kumari, Daughter of Mahesh Singh, Resident of Village- Manjha Birti tola, P.S. Manjhagarh, District- Gopalganj.
7. Sagir Miyan, Son of Israyal Miyan, Resident of Village Gulam Hussain Tola, P.S.- P.S. Manjhagarh, District- Gopalganj.
8. Kumari Pargati Ray, Daughter of Anand Madhav Ray, Resident of Village- Manjhagarh, P.S. Manjhagarh, District- Gopalganj.
9. Munna Kumar Soni, Son of Ramnath Prasad, Resident of Village- Manjha New Bazar, P.S. Manjhagarh, District- Gopalganj.
10. Ramjanak Prasad, Son of Sri Rajendra Mahto, Resident of Village- Manjhagarh, P.S. Manjhagarh, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Dept. of Education, Govt. of Bihar, Patna.
3. The Director, Primary Education Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.
6. The Block Education Officer, Manjha, Gopalganj.
7. The Block Education Officer, Barauli, Gopalganj.

.... Respondent/s

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Appearance :
(In CWJC No.18505 of 2016)



For the Petitioner/s : Mr. Satyam Shivam Sundaram, Advocate
For the Respondent/s : Mr. JITENDRA KUMAR ROY NO-1 SC13
(In CWJC No.13698 of 2017)
For the Petitioner/s : Mr. Satyam Shivam Sundaram, Advocate
For the Respondent/s : Mr. MADANJEET KUMAR-GP20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
Date: 01-05-2018

Heard learned counsel for the petitioners and State.

Mr. S.S. Sundram, learned counsel appearing on behalf of the petitioners submits that during the Pendency of the writ applications substantial relief was granted by the respondents and there is only dispute as to calculation and non-payment of salary for certain period.

In view of the above, when the petitioners admit substantial payment, the Court does not find any justification to keep the writ applications pending in the matter of calculation or grievance as to the non-payment of salary for certain period. However, liberty shall be available to the petitioners to file representation before the respondent District Programme Officer (Establishment), Gopalganj.

In case, such representation is filed by the petitioners indicating therein the error in calculation of the claim with regard to payment of salary for the period petitioners have worked, the same shall be decided by the respondent District Programme Officer (Establishment), Gopalganj in accordance with law within a period of 60 days from the date of filing of such representation along with a



copy of this order.

With the aforesaid, both the writ applications stand disposed of.

It is needless to state here that the respondent cannot deny salary to the petitioners for the period the respondents have restrained the petitioners from marking attendance.

So far as the interveners claim is concerned, the Court has no occasion to pass any order in view of the nature of the grievance involved in the present writ application.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.05.2018
Transmission Date	

