

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24073 of 2019

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Anita Kumari W/o Chote Lal Yadav d/o Jagdish Prasad Yadav, Resident of
Village- Sukhasan, P.S.- Sattar Katiya, Aran, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Primary Education, Govt. of Bihar, Patna
2. The Director Primary Education, Govt. of Bihar, Patna
3. The District Education Officer Saharsa
4. The District Programme Officer Establishment, Saharsa
5. The Secretary Bihar School Examination Board, Budh Marg, Patna
6. The Block Education Officer Kahra, Saharsa
7. The Block Education Officer Sonbarsa, Saharsa

... .. Respondent/s

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with
Civil Writ Jurisdiction Case No. 24088 of 2019

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Dilip Kumar Son of Bindeshwari Mehta Resident of Mohalla- Murli
Basantpur, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Primary Education, Government of Bihar, Patna.
2. The Director Primary Education, Government of Bihar, Patna.
3. The District Education Officer Saharsa.
4. The District Programme Officer Establishment, Saharsa.
5. The Secretary Bihar School Examination Board, Budh Marg, Patna.
6. The Block Education Officer Salakhua, Saharsa.
7. The Block Education Officer Sonbarsa, Saharsa.

... .. Respondent/s

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with
Civil Writ Jurisdiction Case No. 25657 of 2019

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Ramesh Prasad Sahu Son of Ram Bahadur Sah Resident of Village-
Bishanpur, Ward No. 09, Kharagpur, P.S. and District- Saharsa.

... .. Petitioner/s

Versus



1. The State of Bihar through the Principal Secretary, Primary Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Saharsa.
4. The District Programme Officer, Establishment, Saharsa.
5. The Secretary, Bihar School Examination Board, Budh Marg, Patna.
6. The Block Education Officer, Sonbarsa, Saharsa.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 25702 of 2019

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Om Prakash Choudhary, Son of Late Baleshwar Choudhary @ Baleshwar Ram, Resident of Village-Mahpura, Ward no. 11, P.S.-Mahesi, District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Primary Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Saharsa.
4. The District Programme Officer, Establishment, Saharsa.
5. The Secretary, Bihar School Examination Board, Budh Marg, Patna.
6. The Block Education Officer, Mahesi.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 25704 of 2019

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Manoj Kumar Son of Rameshwar Sah, Resident of Amarpur, P.s.- Kahra, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Primary Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education officer, Saharsa.
4. The District Programme Officer, Establishment, Saharsa.
5. The Secretary, Bihar School Examination Board, Budh Marg, Patna.
6. The Block Education Officer, Kahra, Saharsa.
7. The Block Education officer, Sonbarsa, Saharsa.



... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 25721 of 2019

Bijendra Sah Son of Kari Sah Resident of Village- Bakhri, P.S.- Saurbazar,
District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Primary Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Saharsa.
4. The District Programme Officer, Establishment, Saharsa.
5. The Secretary, Bihar School Examination Board, Budh Marg, Patna.
6. The Block Education Officer, Sonbarsa, Saharsa.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 227 of 2020

Md. Gayasuddin Son of Md. Sajjak Ali, Resident of Village-Uttar (Sabalpur),
P.s. Saurbazar, District-Khagaria, at present resident of Village-Kasimpur,
P.S.-Salakhua, District Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Primary Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Saharsa.
4. The District Programme Officer, Establishment, Saharsa.
5. The Secretary, Bihar School Examination Board, Budh Marg, Patna.
6. The Block Education Officer, Salakhua, Saharsa.
7. The Block Education Officer, Sonbarsa, Saharsa.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 24073 of 2019)

For the Petitioner/s : Mr.Md. Shakir Ahmad

For the Respondent/s : Mr.Madhaw Prasad Yadav (Gp23)

(In Civil Writ Jurisdiction Case No. 24088 of 2019)

For the Petitioner/s : Mr.Md. Shakir Ahmad

For the Respondent/s : Mr.Madhaw Prasad Yadav (Gp23)



(In Civil Writ Jurisdiction Case No. 25657 of 2019)

For the Petitioner/s : Mr.Md. Shakir Ahmad

For the Respondent/s : Mr.Madanjeet Kumar (Gp20)

(In Civil Writ Jurisdiction Case No. 25702 of 2019)

For the Petitioner/s : Mr.Md. Shakir Ahmad

For the Respondent/s : Mr.Subash Chandra Mishra (Sc16)

(In Civil Writ Jurisdiction Case No. 25704 of 2019)

For the Petitioner/s : Mr.Md. Shakir Ahmad

For the Respondent/s : Mr.Jitendra Kr. Roy 1 (Sc13)

(In Civil Writ Jurisdiction Case No. 25721 of 2019)

For the Petitioner/s : Mr.Md. Shakir Ahmad

For the Respondent/s : Mr.Madanjeet Kumar (Gp20)

(In Civil Writ Jurisdiction Case No. 227 of 2020)

For the Petitioner/s : Mr.Md. Shakir Ahmad

For the Respondent/s : Mr.Prabhakar Jha (Gp27)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-02-2020 Heard learned counsel for the parties.

The petitioners are aggrieved by non-payment of salary.

Learned counsel for the petitioners submits that the petitioners have been validly appointed and they are regularly working. Therefore, the petitioners are entitled to payment of salary.

If the appointment of the petitioners is legal and valid and petitioners have actually worked, there is no reason to deny salary, arrears, etc. However, the issue of scrutiny of certificate and all related documents is within the realm of the respondents and as such the Court grants liberty to the petitioners to file all the relevant documents in a folder before the Director, Primary Education within a fortnight from today and on receipt thereof, the Director is required to complete the scrutiny of all the



relevant documents in relation to the appointment and the selection process within a period of 45 days. In the event of appointment of the petitioners is found to be legal and valid, the Director shall be under personal obligation to ensure payment of salary, arrears as well as current within a further period of 15 days.

With the aforesaid, all the writ applications are disposed of.

(Anil Kumar Upadhyay, J)

Rishi Kumar/-

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