

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5882 of 2020

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Gouri Kumari Wife of Chittaranjan Gautam Resident of Flat No. 200, New Millennium Apartment, Pocket 7, Sector 21, Rohini, New Delhi- 110086, presently residing at C/o Dr Nirmal Kumar Singh, Magadh Colony, Near Bhagera Ashram, Kurji, Patna- 800010, presently posted as plus 2 Teacher (Niyojit), B.N. Collegiate School, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Govt. of Bihar, Patna.
4. The District Program Officer (Establishment), Patna.
5. Patna Municipal Corporation, 2nd Floor, Block-C Maurya Lok Complex, Dakbunglow Road, Patna Bihar 800001 through the Municipal Commissioner.
6. The Municipal Commissioner, Patna Municipal Corporation, Patna.
7. The Deputy Municipal Commissioner, Patna Municipal Corporation, Patna.
8. The Municipal Secretary -cum- Authorised Officer, Teacher Appointment Committee, Patna Municipal Corporation, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Aditi Hansaria, Adv.
For the Respondent/s : Mr.Jitendra Kumar Roy 1 (Sc13)
For the Respondents No. 5 to 8: Mr. Prabhakar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-03-2021 Heard.

The present writ petition has been filed seeking the following reliefs:-

“i) To issue an appropriate writ/ order/ direction in the nature of Mandamus directing the Respondent Corporation to sanction the leave of the petitioner in terms of Rule 12 of the Bihar Municipal Body



Secondary and Higher Secondary Teacher (Employment and Service Condition) Rules 2006 as amended from time to time;

ii) To issue an appropriate writ/ order/ direction in the nature of Mandamus directing the Respondents to fix the pay of the petitioner since October 2017 and grant regular increments/ increase in salary as a result of which the petitioner is entitled to get the pay of Rs. 31,803/- w.e.f. January 2020;

iii) To issue an appropriate writ/ order/ direction in the nature of Mandamus commanding the Respondents to pay regular salary to the petitioner in terms of the pay fixation, including any arrears thereof subsequent to grant of revised pay to the petitioner.”

The learned counsel for the petitioner seeks liberty to approach the respondent no. 6 i.e. the Municipal Commissioner, Patna Municipal Corporation, Patna for redressal of the aforesaid grievances of the petitioner.

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to file appropriate representation regarding the aforesaid grievances within a period of two weeks from today before the respondent no.6, whereafter the respondent no.6 shall consider the same in accordance with law as also take into account the recommendations made by the



District Program Officer (Establishment), Patna and the
Principal of the school in question and dispose of the same
within a period of four weeks, thereafter.

(Mohit Kumar Shah, J)

Tiwary/-

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