

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.688 of 2022
In
Civil Writ Jurisdiction Case No.10550 of 2020

1. Ramesh Kumar Singh son of Late Lakhan Prasad Singh resident of Village- Bahuarawa, P.O.- Utesara, P.S.- Salkhua, District- Saharsa.
2. Hari Kant Singh son of Late Anup Singh, resident of Village- Bahuarawa, P.O.- Utesara, P.S.- Salkhua, District- Saharsa.
3. Maheshwar Prasad Singh son of Late Gosai Prasad Singh resident of Village- Bahuarawa, P.O.- Utesara, P.S.- Salkhua, District- Saharsa.
4. Jahendra Kumar son of Late Jagdish Prasad Yadav resident of Village- Salkhua, P.O.- Salkhua Bazar, P.S.- Salkhua, District- Saharsa.
5. Shaligram Bhagat son of Krishnadeo Bhagat, resident of Village and P.O.- Kopariya, P.S.- Salkhua, District- Saharsa.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director (Primary Education), Education Department, Govt. of Bihar, Patna.
3. The District Education Officer, Saharsa.
4. The District Programme Officer (Establishment), Saharsa.
5. The Block Education Officer, Salkhua, Saharsa.
6. The Block Education Officer, Salkhua, Saharsa.
7. The Headmaster Upgraded Middle School, Bangama, Salkhua, Saharsa.
8. The Headmaster Middle School Mahadeo Math, Salkhua, Saharsa.
9. The Headmaster Middle School Haripur, Salkhua, Saharsa.
10. The Headmaster Middle School, Salkhua, Saharsa.
11. The Headmaster Middle School, Bankatte, Salkhua, Saharsa.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Maya Shankar Mishra, Adv.
For the Opposite Party/s : Mr. Ajay Kumar Rastogi (AAG- 10)

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER



2 30-06-2022 Counsel submits that the petitioners has wrongly been relegated to approach the District Appellate Authority and the order deserves to be reviewed as the petitioners have already approached the District Appellate Authority by the order of the Authority. The appeal was allowed and the petitioners were reinstated and they were entitled to draw salary, which has not been released.

In view thereof, no case for remanding the matter to the District Appellate Authority/State Appellate Authority is made out as the case cannot be said to be governed by Suresh Ram's case.

I have considered the submissions.

The relief claimed by the petitioners is of payment of salary in terms of the order passed by the District Appellate Authority. The petitioner has a remedy under the provisions, even for initiating contempt proceedings, apart from taking up the matters specifically for release of salary before the District Appellate Authority.

Keeping in view thereto, the order passed by the Court does not require to be reviewed.

No case for review/modification in the order passed earlier is made out.



Accordingly, the application for modification is
dismissed.

(Sanjeev Prakash Sharma, J)

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