

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12584 of 2022**

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Lalita Kumari, Female, aged about 37 years, Daughter of Raghubir Ray, Resident of Village- Bedwaliya, Saguni, Police Station- Parsa, District- Saran. At present posted as a Panchayat Teacher in Government Newly Created Primary School Bedwaliya, Anchal- Parsa, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary-cum- Principal Secretary, Government of Bihar, Patna.
3. The Director Primary Education, Bihar, Patna.
4. The District Education Officer, Saran at Chapra.
5. The District Programme Officer (Establishment) Saran at Chapra.
6. The Block Education Officer, Parsa, District- Saran at Chapra.
7. The Chairman of Panchayat Selection Committee represented through its Mukhiya Gram Panchayat Raj Saguni, Block- Parsa, District- Saran at Chapra.
8. The Panchayat Secretary-cum- Member of Panchayat Selection Committee Gram Panchayat Raj Saguni, Block- Parsa, District- Saran at Chapra.
9. The Vigilance Investigation Bureau, Patna through its Superintendent of Police, Vigilance Department, 6, Circular Road, Patna.
10. The Inspector of Police-cum- Assistant Enquiry Officer, Vigilance Investigation Bureau-cum- Investigating Officer, Niyojit Teacher Enquiry, Saran.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Umesh Kumar Mishra, Advocate                                |
| For the Respondent/s | : | Ms. Shilpa Singh, GA 12 with<br>Mr. R. V. P. Sinha, AC to GA 12 |
| For the Vigilance    | : | Mr. Anil Kumar, Advocate                                        |

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA**

ORAL ORDER

4      15-02-2023      Heard the parties.

The petitioner by way of this writ petition has prayed  
as under:-

*“i) For issuance of an appropriate writ*



*in the nature of mandamus for commanding and directing the respondent authorities concerned to allow the petitioner along with payment of her salary to continue as Panchayat Teacher in Govt. Newly Created Primary School Bedwaliya, Anchal - Parsa, District-Saran at Chapra and allow her to mark her attendance in general teachers' attendance register as she is discharging her duties but she is not being allowed to mark her attendance in general teachers attendance register.*

*ii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to consider the case of the petitioner and allow her to mark her attendance in general teachers' attendance register.*

*iii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to verify the genuineness of certificate/ marksheet of Intermediate issued by the Up-Shastri which is equivalent to Intermediate from Kameshwar Singh Darbhanga Sanskrit University, which has been submitted by the appellant at the time of her selection, as the appellant cannot be made to suffer for the wrong done by others, as the certificate which has been sent for verification to the Bihar Intermediate Education Council has been morphed / changed and has been shown to be in the name of the petitioner.*

*iv) For direction to the respondent authorities concerned to ensure the payment of arrears of salary due since the month of June 2022 as well as current salary without any further delay as the same has arbitrarily been withheld even though the petitioner is entitled for her payment of salary in the light of recent order of the Hon'ble Patna High Court dated 11.05.2022 passed in CWJC. No. 16214 of 2019 (Md. Ataur Rahman vs. the State of Bihar and Others) and analogous cases relying on the judgment rendered by the Hon'ble by Supreme Court in the case of Mans Singh vs. State of U.P.*



*vide 2022 live law SC 341 and in compliance thereof, the Additional Chief Secretary cum-Principal Secretary, Education Department, Bihar, Patna has issued letter no. 734 dated 08.07.2022 and 746 dated 11.07.2022 communicating to all authorities concerned with regard to ensuring the payment of salary etc.*

*v) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner will be found entitled in the facts and circumstances of the case.”*

Considering it that this matter is covered by the Judgment dated 23.02.2022, passed in **C.W.J.C. No. 5489 of 2020 (Suresh Ram Vs. The State of Bihar & Ors.)** and connected matters reported in **2022 (2) PLJR 80, 2022 (2) B.L.J. 381** and the Judgment dated 07.03.2022, passed in **C.W.J.C. No. 34 of 2022 (Minakshi @ Sushre Minakshi & Anr. Vrs. The State of Bihar & Ors.)**, this petition is disposed of with the above terms.

**(Sanjeev Prakash Sharma, J)**

P. Kumar  
Item No. 24

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