

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1754 of 2018

In

Civil Writ Jurisdiction Case No.12686 of 2012

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Kamendra Kumar Kamesh son of Late Gopal Sharan Singh, Resident of village-Chhata, P.S.-Masaurhi, District-Patna.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary Department of Human Resources Development Government of Bihar, Patna.
2. The Principal Secretary Department of Finance Government of Bihar, Patna.
3. The Director Primary Education, Bihar, Patna.
4. The Director Administration cum- Additional Secretary Department of Education Bihar, Patna.
5. The Regional Deputy Director of Education Purnea.
6. The Regional Deputy Director of Education Magadh Division, Gaya.
7. The Regional Deputy Director of Education Rohtas.
8. The District Education Officer, Katihar.
9. The District Education Officer, Gaya.
10. The District Education officer Rohtas.
11. The Principal Mahila Primary Teachers Training College, Gaya.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shivendra Prasad, Advocate
For the Respondent/s : Mr. Shashi Shekhar Tiwary, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 07-02-2023

Heard learned counsels for the parties.

2. In the present *lis* core issue involved is whether appellant is entitled to arrears of salary during the intervening



period from 11.02.2010 to 04.12.2011 or not? In this regard, appellant submitted representation. His representation was rejected on 19.03.2010 which has not been assailed in C.W.J.C. No. 12686 of 2012. On the other hand, appellant has sought for following reliefs in the writ petition:-

"That this is an application for issuance of an appropriate writ/writs, order/orders direction/directions to the respondent authorities to make payment of salary of the petitioner During which period the petitioner was not allowed to discharge his duties as Block Education Extension officer Kadwa (Katihar) from 11.2.2010 to 1.12.2010 on account of his transfer from the post of Block Education Extension officer Kadwa with effect from 11.2.2010 and further his Joining was not accepted with effect from 1.12.2010 of his transferred place at Mahila Primary teachers Training Collage Gaya till his transfer from Mahila Primary Teachers Training College Gaya to Mahila Primary Teachers Training College Sasaram; where he joined on 4.12.2011. The petitioner further prays for any other relief(s) for which he may be found entitled in the facts and circumstances of the present case."

3. Once grievance of the appellant has been rejected by the concerned authority, in the absence of challenge to the rejection of appellant's claim, appellant has no right to seek the relief(s) sought in the writ petition, therefore, appellant has not made out a case so as to interfere with the order of the learned Single Judge.



4. Accordingly, the present L.P.A. stands dismissed.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

rakhi/-

AFR/NAFR	
CAV DATE	NA
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