

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.312 of 2019

In
Civil Writ Jurisdiction Case No.18308 of 2018

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Nagendra Nath Mishra S/o Sri Jaideo Mishra at present Incharge Headmaster,
Awadh Bihari Sanskrit Uchcha Vidyalaya, Rahimpur, P.s.- Muffasil, Distt.-
Katihar

... .. Petitioner/s

Versus

1. Mamta Rani W/o Sri Ranjeet Kumar Resident of Village- Nayatola,
Rahimpur, P.o.- Rahimpur, Distt.- Khagaria
2. The State of Bihar Bihar
3. The Director Secondary Education, Govt. of Bihar, Patna
4. The District Magistrate Khagaria
5. The Sepcial Director Secondary Education, Bihar, Patna
6. The District Programme Officer (Establishment) Khagaria
7. The Chairman Bihar Sanskrit Shiksha Board, Patna
8. The Secretary Bihar Sanskrit Shiksha Board, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Durga Nand Jha, Advocate
For the State	:	Mr. Priyadarshi Matri Sharan, AC to AAG 15
For the Sanskrit Shiksha Board	:	Mr. Satyam Shivam Sundaram, Advocate Mr. Shashank Shekhar Jha, Advocate

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

ORAL JUDGMENT

Date : 19-04-2023

1. This review petition has been filed by the Headmaster of the school where the original writ petitioner was posted, stating that the petitioner has not joined as there was no post available in the school and the order of appointment and approval by the Board was made, and the petitioner was



directed to be posted in the school without involving the Headmaster and, therefore, he prays for recalling of the order dated 11.07.2019.

2. I have considered the submission. This Court, after having noticed the statement made by the Sanskrit Shiksha Board about the petitioner's appointment having been approved by the Board since 2013, it was binding upon the Headmaster to release her salary and accordingly, the directions have been issued. There was no occasion therefore for the review petitioner to approach this Court and delay the payment. It is informed that the payment has not been made even till date.

3. The review petition is dismissed with further directions that if the payment is not released within a period of thirty days, the original writ petitioner shall be free to initiate contempt proceedings.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 55

AFR/NAFR	
CAV DATE	
Uploading Date	19.04.2023
Transmission Date	

