

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8859 of 2021**

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1. Keshav Kumar Son of Uday Kant Mishra, resident of Village- Lalpatti, P.O. Baghla, P.S. Triveniganj, District - Supaul.
  2. Pawan Mandal, Son of Yogendra Mandal, resident of Village - Atalkha Belhi, P.O. - Simariya - Pipra Bazar, P.S. - Triveniganj, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Department of Primary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Koshi Division, Saharsa.
4. The District Education Officer, Supaul.
5. The District Programme Officer (Establishment), Supaul.
6. The Block Education Officer, Triveniganj, District - Supaul.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Pramod Mishra, Adv.  
For the Respondent/s : Mr.Madhaw Prasad Yadaw, GP 23

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      06-08-2024      Heard learned counsel for the petitioners and learned counsel for the State.

2.      The present writ application is filed for the following relief/s:-

*“(i) A certiorari setting aside the office order contained in Memo No.94 dated 13.01.2021 passed by the Respondent District Programme Officer (Establishment), Supaul, whereby and whereunder the authority concerned, has in a very illegal, arbitrary and suspicious manner rejected the claim of the petitioners for payment of their due*



*salary since March, 2017 till date in complete defiance of order of this Hon'ble Court dated 24.07.2019 passed in C.W.J.C. No.14745/2019 as well as order of learned State Appellate Authority and District Appellate Authority, Supaul and also overreaching the report of District Programme Officer itself allowing payment to the petitioners.*

*(ii) A mandamus commanding and directing the respondents concerned to pay the petitioners arrears of salary since March, 2017 till date as well as to pay them their salary regularly as both the petitioners are continuously discharging their duties regularly and sincerely; alongwith penal interest and heavy cost for the mental and financial torture meted out by the authority concerned.”*

3. Learned counsel for the petitioners submits that earlier the petitioners were appointed as Panchayat Teachers in the year, 2014 and were paid salary but it was in the year, 2017, since when the salary of the petitioners was stopped. Aggrieved by the same, the petitioners went before the District Appellate Authority. The District Appellate Authority directed the Authority to pay the arrears of salary along with the current salary of the petitioners. When the order was not complied, then the petitioners moved before the State Appellate Authority and the State Appellate Authority also directed to pay the arrears of



salary and the current salary of the petitioners but till date no payment has been made to the petitioners.

4. Learned counsel for the petitioners further submits that consequent upon their appointment on the post of Teacher through Bihar Public Service Commission, the petitioners joined their posts on 17.11.2023 and as such, they worked as Panchayat Teacher till their appointment through Bihar Public Service Commission i.e. till 16<sup>th</sup> November, 2023 but the order of the District Appellate Authority and the State Appellate Authority has not been complied. Aggrieved by the same, the petitioners have approached this Court.

5. Considering the facts and circumstances of the case, the respondent no.5 is directed to pay the arrears of salary of the petitioners within a period of two months from today and it is hereby made clear that if the payment is not made within the stipulated period, the petitioners shall also be entitled for interest @6% per annum.

6. With the aforesaid direction, the present writ application is disposed of.

**(Anjani Kumar Sharan, J)**

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