

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5210 of 2024

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Shashi Sinha Son of Sri Saryu Prasad Singh Resident of Village and P.O.-
Bardih, P.S.-Ishlampur, District-Nalanda.

... .. Petitioner/s

Versus

1. The Union of India through the Human Resource Department, Shastri Bhawan, C-Wing, Dr. Rajendra Prasad Road, New Delhi-110001.
2. The Secretary, Human Resources Department, Shastri Bhawan, C Wing, Dr. Rajendra Prasad Road, New Delhi-110001.
3. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
5. The Director, Primary Education, Education, Department, Government of Bihar, Patna.
6. The District Education Officer, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushik, Advocate
For the Respondent/s : Mr. Additional Solicitor General

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-03-2024

Learned counsel for the Government Advocate,
submits that the challenge is against second *proviso* of Section
23 of the Right to Children to Free and Compulsory Education
Act, 2009, which has already been answered by a Full Bench of
this Court in L.P.A. No. 748 of 2022.

2. Learned counsel for the petitioner submits that
what would survive is the denial of honorarium between March,



2011 to May, 2022 and from January, 2023 to October 2023.
The petitioner has moved the appellate authority and Annexure-
P/3 dated 30.08.2017, the appellate authority has allowed the
claim.

3. In such circumstances, it is for the petitioner to seek
execution of the order passed by the appellate authority.

4. For the period beyond that considered by the
appellate authority, the petitioner would be entitled to make a
representation before the competent authority, who shall
consider the same and dispose of the matter within three months
from the date of presentation.

5. The writ petition stands dismissed with the above
reservation.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28-03-2024
Transmission Date	

