

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17776 of 2014

1. Sudha Kumari Wife of Brahmdeo Prasad at present posted as Assistant teacher at Upgraded Middle School, Sheikhpura, Block Sampatchak Police Station Sonagopalpur, Distt. Patna.
2. Pradeep Kumar Son of Kashi Prasad Yadav at present posted as Assistant teacher at Upgraded Middle School Chipra Khurd, Block Sampatchak, P.S. Sona Gopalpur, Distt. Patna.
3. Punita Kumar Wife of Anil Kumar at present posted as Assistant teacher at Upgraded Middle School Chipra Khurd, Block Sampatchak, P.S. Sona Gopalpur, Distt. Patna.
4. Prabhawati Kumari wife of Sri Kant Sharma at present posted as Assistant at Primary School Pipra Block Phulwarisharif, PS Ramkrishan Nagar, Distt. Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Department, Government of Bihar, Patna.
3. The Commissioner-Cum-Secretary, Education Department , Bihar, Patna.
4. The District Development Commissioner, Patna.
5. The District Education Officer, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate
For the Respondent/s : Mr. Purnendu Singh, GP 27

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-02-2024

1. Learned counsel for the parties are present.

2. The petitioners have filed the instant application for the following reliefs:

“(i) For issuance of an appropriate order/orders/ direction/directions/writ in the nature of Mandamus directing and Commanding to the Respondent to grant house rent allowances to the petitioners uptodate of Joining at these present schools in



accordance with Bihar House rent allowance law 1980, the petitioners are working at their respective schools within the District-Patna

(ii) And further be pleased to grant otherwise/ reliefs as the petitioners are entitled for.

3. The case of the petitioners as is evident from the contents of the petition is that the though by order dated 19.8.2010 (Annexure-2) house rent allowance has been paid to the teachers whose name figured in the said order, so far as the petitioners are concerned, though they are working as Assistant Teachers in different schools as described in the writ petition, they have not been paid house rent allowance.

4. Learned counsel for the respondents submits that there is no mention in the writ application as to for what period that the house rent allowance has not been paid to the petitioner or for what period they have filed the instant writ application.

5. It is further submitted that except for a bald statement made in paragraph no.11 of the writ application that they met the respondents and requested for grant of house rent allowance, there is no representation with acknowledgment receipt brought on record that they had requested the respondents for payment of house rent allowance before filing this writ application.

6. Having perused the contents of the petition and having



heard learned counsel for the parties, this Court is of the opinion that this application is lacking in material details.

7. In view of the facts and circumstances of the case, the writ application stands disposed of however, with liberty to the petitioners to file individual representations before the respondents giving details of their claims for the reliefs prayed for in the instant application.

8. It is made clear that the Court has not gone into the merits of the claim of the petitioners and not even on the fact as to whether the petitioners are entitled for house rent allowance or not.

(Partha Sarthy, J)

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