

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14339 of 2015

Md. Imran Ahmad son of Nazir Ahmad resident of village - Dhanpura, P.S. - Kocha Dhaman, District - Kishanganj, at present posted as Prakhanda Shikshak, Middle School, Loha, Block - Kauahi, District - Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Madhubani.
5. The Block Education Officer, Kaluahi, District - Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Sharma, Advocate
For the Respondent/s : Mr. Binod Ji Verma, GP-17

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 02-01-2024 Heard Mr. Shailesh Kumar Sharma, learned counsel
for the petitioner and the State.

2. The petitioner wants his salary to be paid for the period he has worked as Panchayat Teacher.

3. It seems subsequently, the petitioner was removed from the post on the ground that the certificate on the basis of which he entered into the service is not in the approval list of State Government.

4. An I.A. No. 917 of 2018 was preferred challenging the said order.

5. This Court is of the view that removal order could



have been challenged by filing a fresh writ petition and not by way of an interlocutory application in which he has come for payment of salary.

6. The I.A. No. 917 of 2018 is accordingly rejected.

7. So far as salary part is concerned, it is for the authority to decide whether the petitioner has validly worked or not during the period he is claiming salary.

8. The petitioner intends to prefer representation before the respondent no.3, the Director, Primary Education, Bihar, Patna within a period of six weeks from today.

9. If such representation is filed, the concerned respondent shall call for all the records, summon the official concerned and accordingly decide the matter within next six weeks.

10. The decision of the Director, Primary Education will follow the consequences.

11. The writ petition stands disposed of.

(Rajiv Roy, J)

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