

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8290 of 2023

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1. Aquil Ahmad s/o Late Md. Qualim, Barhampur, P.O. - M.I.T., Muzaffarpur (Clerk, Abeda High School (Plus 2), Muzaffarpur, P.S.- Mithanpura, District- Muzaffarpur.)
 2. Sarwar Ali, S/o Mohammad Ali, Ward No. - 40, Hussaini Gali, Pakki Sarai Chowk, Chandwara, Muzaffarpur, (Peon, Abeda High School (Plus 2), Muzaffarpur, P.S. - Mithanpura, District - Muzaffarpur.)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretariat, Patna.
2. The Director, Secondary Education, Bihar, Patna.
3. The District Education Officer, Muzaffarpur.
4. The District Programme Officer (Establishment), Muzaffarpur.
5. The Managing Committee, Abeda High School (Plus 2), Muzaffarpur, through its Secretary.
6. The Head Master, Abeda High School (Plus 2), Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Purushottam Kumar Jha
For the Respondent/s : Smt. Binita Singh (Sc28)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-11-2024 Heard learned counsel for the petitioners and learned
counsel for the respondent/State.

2. This writ petition has been filed for following
reliefs:-

“(i) To hold and declare that the petitioners who are duly appointed as non-teaching employees (Clerk and Peon) in Abeda High School (+2). Muzaffarpur are fully entitled for being paid their arrears of salary claim, that too along with interest thereupon at least @ 18% per annum.



(ii) A writ in the nature of Mandamus may kindly be issued by this Hon'ble Court, commanding the Respondents concerned to make the payment of said arrears of Salary Claim of the petitioners forthwith, that too, along with penal interest thereupon at least @ 18% per annum in light of the Hon'ble Apex Court Judgment dated 31.01.2000, passed in Civil Appeal No. 689 of 2000 (Vijay L. Mehrotra Vs. State of U.P. and Ors.), wherein it is directed by the Hon'ble Apex Court that the respondent to pay to the appellant interest @ 18% per annum. (Annexure-8 to this writ petition)

(iii) For grant of any other relief(s) to which the petitioners may be found entitled to in the facts and circumstances of this case.”

3. Learned counsel for the petitioner submits that in this connection, petitioners have filed representation before the concerned authority, vide Annexure 5 to the writ petition, but till date, no order has been communicated to these petitioners on their representation.

4. Considering the nature of grievance, the writ petition is disposed of granting liberty to the petitioners to file fresh representation before the concerned respondent i.e. Respondent no. 4/District Programme Officer (Establishment), Muzaffarpur within a period of six weeks from today.

5. If such representation is filed within stipulated time, the concerned respondent(s) shall dispose of the same in accordance with law within a period of six months from the date



of filing of such representation. If the petitioner is found entitled for such benefit, the same shall be extended to him within a period of further six months.

6. With above observation and direction, the writ petition stands disposed of.

(Prabhat Kumar Singh, J)

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