

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10931 of 2017

1. Upendra Kumar Pandey Son of Sri Darp Dev Pandey, resident of Mohalla Pokhariya Pir, New Colony, Police Station- Kazi Mohammedpur, District- Muzaffarpur.
2. Harilal Prasad Kushwaha, Son of Late Rajendra Prasad, resident of Village- Bhopatpur, Police Station- Kotwa, District- East Champaran.
3. Braj Bhushan Singh, Son of Sri Nandlal Singh, resident of Village- Belwatia, Police Station- Pipra Kothi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Joint Secretary, Secondary Education, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The Deputy Director, Secondary Education, Human Resource Development Department, Government of Biha
6. The District Magistrate, East Champaran.
7. The District Education Officer, East Champaran.
8. Bihar School Examination Board through its Chairman, Bihar, Patna.
9. The Secretary, Bihar School Examination Board, Bihar, Patna.
10. The Chairman, Governing Body, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pipra, East Ch
11. The Secretary, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pipra, East Champaran.
12. The Principal, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pipra, East Champaran.
13. The Senior Teacher, Account Maintenance, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pip

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10970 of 2017

1. Kumari Nirmala Wife of Sri Shatrughan singh, resident of Mohalla Anandpuri, Belwanwa, Police Station- Motihari Sadar, District- East Champaran.
2. Ram Tahal Ram, Son of Sri Nathuni Ram, Resident of Village Mahuawa, Post Damodarpur, Police Station- Pipra, District- East Champaran.

... .. Petitioner/s



Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Joint Secretary, Secondary Education, Government of Bihar, Patna.
4. The Director, Secondary Education Government of Bihar, Patna.
5. The Deputy Director, Secondary Education, Human Resource Development Department, Government of Biha
6. The District Magistrate, East Champaran.
7. The District Education Officer, East Champaran.
8. Bihar School Examination Board through its Chairman, Bihar, Patna.
9. The Secretary, Bihar School Examination Board, Bihar, Patna.
10. The Chairman, Governing Body, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pipra, East Ch
11. The Secretary, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pipra, East Champaran. null null
12. The Principal, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pipra, East Champaran.
13. The Senior Teacher, Account Maintenance, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pip

... ... Respondent/s

with

Civil Writ Jurisdiction Case No. 11041 of 2017

1. Arvind Kumar Son of Sri Surendra Narayan Prasad, Resident of Mohalla-Ekawna Chandmari, Police Station- Motihari Sadar, District- East Champaran.
2. Sheikh Nurullah, Son of Sheikh Subhan, Resident of Village Lain, Police Station- Sugauli, District- East Champaran.

... ... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Joint Secretary, Secondary Education, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The Deputy Director, Secondary Education, Human Resource Development Department, Government of Biha
6. The District Magistrate, East Champaran.
7. The District Education Officer, East Champaran.



8. Bihar School Examination Board through its Chairman, Bihar, Patna.
9. The Secretary, Bihar School Examination Board, Bihar, Patna.
10. The Chairman, Governing Body, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pipra, East Ch
11. The Secretary, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pipra, East Champaran.
12. The Principal, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pipra, East Champaran.
13. The Senior Teacher, Account Maintenance, Rameshwar Prasad Bhagyawati Devi Intermediate College, Pip

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 10931 of 2017)

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Respondent/s : Ms. Shilpa Singh-GA-12

For the BSEB : Mr. Gyan Shankar

(In Civil Writ Jurisdiction Case No. 10970 of 2017)

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Respondent/s : Mr. Madanjeet Kumar-GP-20

For the BSEB : Mr. Kumar Shanu

(In Civil Writ Jurisdiction Case No. 11041 of 2017)

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Respondent/s : Mr. Prabhakar Jha-GP-27

for the BSEB : Mr. Gyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-07-2024 1. Learned counsel for the petitioners submits that in all the three cases issues are identical and these cases may be taken-up together.

The prayer of the writ petitioners in all the three cases is for direction to make payment of admissible salary payable to them for the Session 2010-12 from the financial assistance received by the Rameshwar Prasad Bhagyawati Devi Intermediate College in the form of grants-in-aid from the Government in terms of Government notification and direction.



2. Learned counsel for the petitioners submits that counter affidavit has been filed by the Managing Committee of the College in CWJC No. 10970 of 2017 and in CWJC No. 11041 of 2017, stating therein, that the Chairman of the College issued letter no. 13 of 2017, dated 26.07.2017, appointing Sri Birendra Prasad, as In-charge Principal of the College and directed the earlier Principal to hand over the charge to the newly appointed In-charge Principal within 48 hours.

3. After assuming the charge, the present Principal has prima facie found that the petitioners were appointed validly and are discharging their duties and are entitled for the monthly salary as well as salary from the grants-in-aid. Since, the grants for the Session 2010-12 have already been distributed, the petitioners will be granted their dues from the grants made available in the future by the State Government in accordance with law.

4. Learned counsel for the Board submits that in view of the statement made in the counter affidavit filed by the Managing Committee of the College, the writ applications may disposed with liberty to the petitioners that if in the future any grievance of the petitioners arise they may approach the District Appellate Authority as per the Bihar State Teaching Institution



Teachers & Employees (Disputes, Redressal and Appeal) Rules,
2010.

5. Having heard learned counsel for the parties and taking into consideration the stand of the Managing Committee, these writ applications are disposed with liberty to the petitioners to raise their future grievance before the concerned District Appellate Authority, if the same is required.

6. With the aforesaid observation and direction, this writ application is, accordingly, disposed.

(Anil Kumar Sinha, J)

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