

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9697 of 2023**

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Wazir Hasan S/o Late Mehdi Hasan, Village and P.O.-Haveli, Hussainganj,  
P.S.-Hussainganj, District-Siwan.

... .. 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, Siwan.
4. The District Programme Officer (Establishment), Siwan.
5. The Managing Committee, M.S. High School-cum-Inter College, Hussainganj, Siwan through its Secretary.
6. The Head Master, M.S. High School-cum-Inter College, Hussainganj, Siwan.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr.Purushottam Kr.Jha, Advocate |
|                      |   | Mr. Ram Naresh Jha, Advocate    |
| For the Respondent/s | : | Mr.Prabhakar Jha (Gp27)         |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      04-12-2024                      Heard learned counsel for the petitioners and the  
  
State.

2. Writ petition has been filed for following reliefs:-

*(i) Issuance of an order, direction or an appropriate declaration that the action of the Respondent No. 1 in not deciding the Appeal of the petitioner dated 18.04.2022 (Annexure 22) is illegall, arbitrary. malafide, malicious and unsustainable in the eye of law.*

*(ii) For issuance of an order, direction or a writ in the nature of Certiorari quashing the order dated 27.01.2022 passed by the Director. Secondary Education, Govt. of Bihar, Patna (Annexure 20), whereby petitioner's prayer for the regularization of his services as Assistant Teacher in the School in hand in between 16.06.1995 to 01.02.2007 has been rejected and consequent upon the quashing of the said order dated*



27.01.2022 (ANNEXURE-20)

(iii) *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 petitioner's withheld salary claim for the period in between Dec'1999 to 01.02.2007, during which period the petitioner has discharged his duties regularly against the vacant post of Assistant Teacher (Civics) in the School in hand regularly and without any interruption and upto the full satisfaction of all concerned.*

(iv) *Issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to treat the petitioner in the regular service of the School in hand for the period in between 02.06.1987 to 31.03.2023, and upon considering the same the Respondents concerned may further be suitably directed to grant all due post retirements as well including pension.*

(v) *For issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to grant due and admissible Financial Progressions under ACP and MACP Scheme.*

(vi) *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. At the outset, learned counsel for the petitioner submits that the petitioner has already filed an appeal dated 18.4.2022 (annexure 22) before respondent no.1 but till date the same has not been disposed of.

4. In view of the nature of prayer made by learned counsel for the petitioner, let respondent no.1 examine the matter and dispose of the appeal by a reasoned and speaking order in accordance with law after hearing the parties, preferably within a period of three months from the date of receipt of the this order.



6. Writ petition stands disposed of with the aforesaid directions.

(Prabhat Kumar Singh, J)

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