

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13076 of 2022

1. Krishna Kumar S/o Indrajit Sah, Resident of Village- Khanua Turha Toli, P.O.- Bagahi Puraina, P.S.- Yogapatti, District- West Champaran.
2. Purushottam Kumar Sah @ Purshotam Kumar Sah S/o Indrajit Sah, Resident of Village- Khanua Turha Toli, P.O.- Bagahi Puraina, P.S.- Yogapatti, District- West Champaran.
3. Sanjay Kumar Singh S/o Awadhesh Singh, Resident of Village- Taktakwa, P.S.- Yogapatti, District- West Champaran.
4. Chhota Kumar Singh S/o Late Lalan Singh, Resident of Village- Marhiya, P.S.- Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The Collector-cum-District Magistrate, West Champaran at Bettiah.
5. The District Education Officer, West Champaran at Bettiah.
6. The District Programme Officer, Establishment, West Champaran at Bettiah.
7. The Block Education Officer, Yogapatti Block, Yogapatti, District- West Champaran.
8. The Panchayat Secretary-cum-Member Secretary, Employment Unit, Gram Panchayat Raj Fatehpur, Block- Yogapatti, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Sanjay Kumar, AC to GP-23

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA

ORAL JUDGMENT

Date : 30-08-2024

Heard learned counsel for the petitioners and learned
counsel for the State.



2. The petitioners, four in numbers, have approached this Court by filing the present writ petition seeking a direction to the respondents to pay to the petitioners their arrear of salary for the period during which they have actually worked.

3. The petitioners are stated to be Panchayat Teachers (Trained).

4. It is the case of the petitioners that the District Appellate Authority, West Champaran, Bettiah in Case No. 23/2017 vide order dated 20.11.2018 had directed the respondents to pay the arrear of salary to the petitioners. An appeal was preferred by the District Programme Officer, Establishment, West Champaran, Bettiah before the State Appellate Authority against the order dated 20.11.2018 passed by the District Appellant Authority, West Champaran, Bettiah in Case No. 23/2017. The State Appellate Authority vide order dated 29.08.2019 had dismissed the Appeal Case No. 46/2019 preferred by the District Programme Officer, Establishment, West Champaran, Bettiah. The petitioners, thereafter, preferred Case No. 11/2019 before the District Appellate Authority, West Champaran, Bettiah for enforcement of the order dated 20.11.2018 passed by the District Appellant Authority, West Champaran, Bettiah in Case No. 23/2017. Case No. 11/2019



was disposed of by the District Appellant Authority, West Champaran, Bettiah vide order dated 12.12.2019 by directing the respondent authorities to pay the arrear of salary to the petitioners within 15 days, failing which penal action was proposed to be taken. With the above direction and observation, Case No. 11/2019 filed by the petitioners was disposed of by the District Appellant Authority, West Champaran, Bettiah

5. The State has filed a counter affidavit in the present writ petition contending that the petitioners had secured their appointments on the basis of fake certificates.

6. Be that as it may, since the petitioners at the relevant time were Panchayat Teachers, having regard to the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020 more particularly the Rule 16 thereof and also having taken note of the decision rendered by this Court in C.W.J.C. No. 10222 of 2022 along with series of connected writ petitions, this writ petition shall stand disposed of with a liberty granted to the petitioners to approach the District Appellate Authority, West Champaran, Bettiah for enforcement of the order passed by it in the earlier case.



7. The writ petition is disposed of with the above directions.

(Nani Tagia, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30.08.2024
Transmission Date	N.A.

