

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13159 of 2023

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Sudha Kumari W/o Alok Kumar, Posted as Panchayat Teacher, Govt. Primary School, Semuyapur, Block Manjhaulia, District West Champaran. R/o Village and P.O.-Barwat Parraiu, P.S. Mufassil, Bettiah, District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The Regional Education Deputy Director, Tirhut Division, Muzaffarpur.
4. The District Magistrate, West Champaran at Bettiah.
5. The District Education Officer, West Champaran at Bettiah.
6. The Panchayat Secretary, Gram Panchayat Raj, Rapurwa, Mahauwa, Majhaulia, West Champaran.
7. The Head Master/Teacher In-Charge, Govt. Primary School, Semauapur, P.S. Majhaulia, Dist. West Champaran

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Shambhu Sharan Kumar, Advocate
For the State	:	Mr. Subhash Chandra Mishra, SC-16

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2024 Heard learned counsels for the parties.

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

- “i. For issuing direction to the Respondents No. 2 to 6 to pay the admitted dues salary of the Petitioner for the not-paid period, since August, 2013 to November, 2021 and Since March 2023 to till the date along with dues of revised payments, revised and duly notified by the State Govt. from time to time.*
- ii. For further direction upon the No. 2 to 6 to revise*



the salary of the Petitioner as in accordance with the prevailing and stipulated norms, as in accordance with law.

- iii. For setting aside, the last impugned part & portion of the order dated 01/06/2023, passed in Application No. 32/2022, passed by the Ld. State Appellate Authority (Education Department Bihar) Patna, which directs to the Petitioner "if there is now any grievance regarding payment of salary for a particular period it should be raised in a fresh case" will amounts to res judicata at the end of the Petitioner's grievance.*
- iv. For further direction upon the Respondents No. 2 to 6 to consider the seniority of the Petitioner as in accordance with the prevailing and stipulated norms.*
- v. For direction of payment of interest at the rate of 14% per annum on the admitted not-paid amount of salary for the above mentioned period since August, 2013 to November, 2021 and Since March 2023 to till the date. And*
- vi. For any other relief / reliefs for which the Petitioner is entitled in the facts and circumstances of the case."*

3. From bare perusal of the order impugned dated 01.06.2023 passed by the State Appellate Authority, Education Department, Bihar in Application No. 32 of 2022 it is apparent that the same was disposed of with liberty to the petitioner to raise her grievances regarding payment of salary for the particular period before the appropriate authority.



4. Considering the rival submissions and from perusal of the materials available on record, this Court does not find any error or infirmity in the order of the State Appellate Authority dated 01.06.2023.

5. Accordingly, this writ application is disposed of with liberty to the petitioner to move before the appropriate authority, in accordance with law.

6. In the event the petitioner moves before the appropriate authority by filing appropriate application, the concerned authority shall dispose of the same, in accordance with law, after hearing the parties, by a reasoned and speaking order, as expeditiously as possible.

(Prabhat Kumar Singh, J)

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