

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9422 of 2015

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Sarswati Kunwar Wife of Late Rabindra Ram, Resident of Village- Afaur,
Police Station- Khaira, Block- Nagra, District- Saran Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Human Resources Development Department, Bihar, Patna.
2. The Director, Primary Education Bihar, Patna.
3. The District Magistrate, Saran at Chapra.
4. The District Programme Officer, Establishment, Saran Chapra.
5. The Block Development Officer-cum-Executive Officer, Nagra Saran.
6. The Block Education Extension Officer, Nagra, District- Saran.
7. The Mukhiya of Gram Panchayat RAj Afaur, Anchal- Nagra, District- Saran.
null null
8. The Panchayat Secretary of Gram Panchayat Raj, Afaur, Nagra, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Dhurjati Kr Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 5 11-01-2024 1. No one appears for the petitioner. Learned counsel
for the respondents is present.
2. The petitioner has filed the instant application for
the following relief(s):-

*“1. That, this writ petition has
been filed for issuance of an appropriate
writ/s, order/s, direction/s including a writ
preferably in the nature of Mandamus
commanding and directing upon the
respondents to make the payment of salary
to the petitioner from 06-06-2014 to till date
who has been reinstated from the post of*



Panchayat Teacher in terms of Bihar Elementary Panchayat Teachers (Service, terms and conditions) Rules, 2006 by the order of the respondent No. 8.

2. Further the respondents may be directed to pay the arrears of salary for the period 06-06-2014 to till date with penal interest on account of delayed payment.

3. The petitioner seeks indulgence of this Hon'ble court to grant him any other relief/s to which he is entitled in the facts and circumstances of the case.”

3. Learned counsel appearing for the respondents in reference to the counter affidavit filed on behalf of the District Programme Officer, (Establishment), Saran (Chapra) (respondent no. 4) submits that payment of salary to the petitioner is being made continuously based on the absentee Register. Paragraph no. 6 of the counter affidavit is reproduced hereinbelow for ready the reference :-

“6. That vide Letter dated 22.12.2015 of Block Education Officer, Nagra, Saran, the DPO (Esb) Saran has been informed that payment of salary of petitioner Sarswati Kunwar Block Teacher upgraded Middle School, Ramchaura, Nagra, District Saran is being made continuously on the basis of absentee Register from her again joining date 06.06.2014. He further stated in such letter that on the basis of absentee register total sum of Rs. 61,500/- (Rs. Sixty one thousand five hundred) for her date of again joining from 06.06.2014 to November, 2014 and January, 2015 had been made.



A Photo copy of the Letter No. 284 dated 22.12.2015 and also absentee Register have been annexed herewith and marked Annexure A Series this Counter Affidavit.”

4. In view of the above statement made in the counter affidavit to which no reply has been filed in spite of the counter affidavit having been served on learned counsel for the petitioner on 1.8.2017, Court is not inclined to keep this application pending.

5. The writ application stands disposed of.

(Partha Sarthy, J)

Harsh/-

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