

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16997 of 2024

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Kumari Madhu Wife of Sanjay Kumar, resident of Mohalla- Near Block Office, P.S. - Sikandra, District- Jamui, presently working as Assistant Teacher, Middle School, Sikandra, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Pirmary Education, Government of Bihar, Patna.
3. The District Magistrate, Jamui.
4. The District Education Officer, Jamui.
5. The District Programme Officer, Establishment, Jamui.
6. The Executive Officer, Nagar Panchayat, Sikandra, District- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Advocate.
For the Respondent/s	:	Mr. Rajeshwar Singh, GA- 10
		Mr. Jitendra Kumar, AC to GA-10
For the Respondent No.6:		Mr. Anwar Karim, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-11-2024 1. Heard learned counsel for the petitioner and learned

AC to GA-10 along with learned counsel appearing on behalf of

the respondent no.6 Mr. Anwar Karim.

2. The learned counsel for the petitioner submits that

the instant writ application has been filed seeking a direction
upon the respondents authorities to grant approval of 54 days
medical leave of the petitioner i.e. for the period from
01.04.2024 to 24.05.2024 during which the petitioner remained
under treatment as she was suffering from infection of Hepatitis
disease, for which, she has already submitted her leave



application to the headmaster of the school on 01.04.2024 and to make payment of her salary after approving the said medical leave as per Clause 20(i)(v) of Bihar Nagar Primary School Service (Appointment, Promotion, Transfer, Disciplinary action & Service) Rule, 2020.

3. The learned counsel for the petitioner submits that the petitioner, for the relief claimed for in the instant writ application, also represented before the Executive Officer, Nagar Panchayat, Sikandra vide her representation dated 25.07.2024 (Annexure-6 to the writ application) but the Executive Officer is sitting over the representation of the petitioner, on which, the learned counsel appearing on behalf of the Nagar Panchayat submits that the relief, as claimed in the instant writ application, has already been redressed by the Executive Officer, Nagar Panchayat, as would manifest from the letter no.425 dated 02.11.2024. The learned counsel submits that he received the said instruction on his whats-app recently, as such, counter affidavit could not be filed but then the oral submissions made be taken on record, on which, the learned counsel appearing on behalf of the petitioner submits that medical leave of 54 days has been granted as per the aforesaid letter as read by the learned counsel appearing on behalf of the



Nagar Panchayat but then her salary for the said period has not been granted, on which, the learned counsel appearing on behalf of the Nagar Panchayat submits that the petitioner can still file a fresh representation before the respondent no.6, raising her grievance, as raised in the instant writ application, and the same shall be disposed of, in accordance with law, within a time frame.

4. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the petitioner to file a fresh representation before the respondent no.6 claiming the relief of salary, as prayed in the instant writ application, on or before 20.12.2024, in the event, if any application is filed by the petitioner on or before 20.12.2024 before the respondent no.6, in that event, the respondent no.6 shall consider and dispose of the representation of the petitioner within a period of one month, in accordance with law.

5. It is made clear that the Court has not gone into the merits of the case.

(Satyavrat Verma, J)

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