

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1252 of 2025

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Gajendra Yadav Son of Ram Udgar Yadav, Resident of Village- Tengaraha,
P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Director Bihar Madhyamik Shiksha Parishad,
Government of Bihar, Patna.
2. The District Magistrate-cum-District Programme Officer, Samastipur.
3. The District Education Officer, Samastipur.
4. Head Master, P.S.P. Plus 2 School, Bithan, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate.
For the Respondent/s : Mr.Addl. Advocate General (04)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-01-2025 Heard Mr. Nachiketa Jha, learned counsel appearing
on behalf of the petitioner and learned counsel for the State.

2. The petitioner in paragraph no. 1 of the present writ
petition has sought, inter alia, following relief(s), which is
reproduced hereinafter:-

*“(i) For issuance of an order or orders,
direction/directions, writ, including writ in the nature of
mandamus directing the Authorities/Respondents concern
to pay the deferred salary with penal interest from June
2018 to July 2021 (paid per month Rs.3000/- three
thousand instead of 5000/- Five thousand per month), from
August 2021 to March 2023 (paid per month Rs.4500/-
(four thousand five hundred per month instead of 5000/-
(five thousand per month) from April 2023 to till today
Rs.4500/ (Four thousand five hundred per month instead of
11400/- (Eleven thousand four hundred per month) to the
petitioner.*

*(ii) For any other relief or reliefs to which the
petitioner may be found entitled in the facts and
circumstances of the case.”*



3. Considering the claim of the petitioner, the District Magistrate, Samastipur is directed to call for the particulars relating to the petitioner from the place of his service who has claimed for payment of the deferred salary with penal interest from June 2018 to July 2021 at the rate of Rs.5000/- per month but he was paid only Rs.3000/- per month and subsequent to the same, from August 2021 to March 2023, the petitioner was only paid Rs.4500/- per month instead of Rs.5000/- per month. Similarly from April 2023 to till date, the authorities are continuing to pay only Rs.4500/- per month instead of Rs.11400/- per month.

4. Upon collecting the entire material, the District Magistrate is directed to immediately communicate the information to the Director, Bihar Madhyamik Shiksha Parishad, Patna and the Director, Bihar Madhyamik Shiksha Parishad is directed to take immediate action after verifying from the records and the report submitted by the District Magistrate, Samastipur and make payment to the petitioner who is continuously working as night guard cum peon, which is a Class-IV post, well within a period of six weeks from the date of communication of this order.

5. It is made clear that the Distinct Magistrate, in any



case, will send his report well within a period of two weeks from the date of communication of this order.

6. The writ petition stands disposed of.

(Purnendu Singh, J)

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