

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1707 of 2025

=====

Amit Kumar son of Sri Umakant Ram, resident of mohalla Deepnagar, Police Station - Kotwali, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Bhagalpur
4. The District Education Officer, Bhagalpur
5. The District Programme Officer, Establishment, Bhagalpur

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Respondent/s : Mr.Addl. Advocate General (09)

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the respondents.

2. The present writ application has been filed on behalf of the petitioner for the issuance of writ of mandamus directing the respondent authorities to consider representation dated 07.10.2024 and 27.11.2024 filed by the petitioner and on due consideration, to make payment of arrears of salary for the period from 25.06.2012 to 08.06.24, in the light of order passed by Hon'ble Supreme Court in the case of State of Uttar Pradesh vs Dayanand Chakrawarty & ors as reported in (2013)7 SCC 595 as well as in the case of Shiv Nandan Mahto vs State of



Bihar as reported in 2013(11)SCC 626 as the petitioner has been kept out of service and prevented from working by the respondent authorities themselves. The petitioner further prays for quashing part of order contained in memo no.1764 dated 06.06.2024, whereby direction has been issued to make payment of salary from the date of joining, as the same being in teeth of order dated 08.04.2024 passed in CWJC 15881/2023, whereby direction has been given to respondent authorities to grant similar benefit to the petitioner as have been given to other similarly situated persons appointed against 34540 posts of Assistant Teachers, in view of order dated 28.08.2023 passed in LPA 1254/2016 and analogous cases with all consequential benefits and for any other writ/writs, order/orders which the petitioner may found to be entitled in the facts and circumstances of the case.

3. At the very outset, learned counsel for the petitioner submits that the petitioner has already file a representation before the Respondents No.4 and 5, but till date no order has been passed in the said representation.

4. Considering the above-made submission, the petitioner is directed to file a detailed representation before the Respondent No.4 along with all supporting documents within a



period of 30 days and the Respondent No. 4 is well advised to consider the case of the petitioner after affording opportunity of personal hearing or through his counsel and pass a reasoned and speaking order in accordance with law within one month thereafter.

5. It is made clear that the Respondent No. 4 shall be liable for non-compliance of this order within the stipulated period.

6. If the petitioner is found entitled to any consequential benefits, then the payment of the same shall be made to the petitioner within two months thereafter.

7. With the aforesaid direction, the writ application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

U			
---	--	--	--

