

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2404 of 2025

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Irfan Ahmad Khan son of Nurul Hoda khan, Headmaster, Islamia Academy
plus 2 R/o-Meerganj, P.S. Marahoura, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Addl. Chief Secretary, Department of Education, Bihar, Patna.
3. The Director, Secondary Education, Bihar, Patna.
4. The District Magistrate, Gopalganj.
5. The District Education Officer, Gopalganj.
6. The Nodel Officer-cum-Director, D.R.D.A. Gopalganj.
7. The District Programme Officer, Gopalganj.
8. The Secretary Managing Committee, Islamia Urdu Academy plus 2,
Meerganj, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.
For the Respondent/s : Mr. Additional Advocate General (5)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-11-2025 Heard the parties.

2. The grievance of the petitioner is confined to non-payment of salary for the month of September 2024 till date as also arrears of salary for the period of suspension since 08.02.2022 to October 2023.

3. It is submitted that the order, under which the petitioner was placed under suspension, was questioned by preferring an appeal bearing Appeal No. 7 of 2023 before the District Teachers Appellate Authority, Gopalganj. The appeal



was duly heard and finally allowed vide order dated 05.10.2023 after setting aside the order of suspension with a direction to the Secretary (Managing Committee) to accept the joining of the petitioner. Despite the aforesaid order, the petitioner has not been allowed the subsistence allowance along with the salary for the period referred in the paragraph-1 of the petition.

4. A counter affidavit has been filed on behalf of respondent No.7.

5. It is submitted that the Grant-in-Aid Bill for September, 2024 to December, 2024 vide Memo No. 265 dated 23.02.2025 in favour of the institution and further for the period of January 2025 vide Memo No. 540 dated 06.02.2025 has already been sent. The suspension allowance has already been paid to the petitioner. But, so far as arrears of salary for the suspension period is concerned, the same shall be subject to the final order in the departmental proceeding is the contention for the learned Advocate for the State.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the relevant facts, especially the order of the District



Teachers’ Appellate Authority, this Court does not find any reason or occasion to entertain the writ petition, if the petitioner feels aggrieved with the action of the respondent State authorities, he is not remedy-less, this Court deems it fit to dispose of the writ petition with a liberty to the petitioner to approach the District Teachers’ Appellate Authority for execution of the order for payment of salary for the period of suspension. The petitioner shall also be at liberty to file an appropriate application for payment of current salary.

7. With the aforesaid liberty, the present writ petition is disposed of.

(Harish Kumar, J)

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