

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19037 of 2015

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Abhay Kumar Sharma Son of Late Rameshwar Singh Resident of village -
Bari Tengraila, P.O. Sahar Rampur, P.S. Naubatpur, District - Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Bihar, Patna
3. The District Superintendent of Education, Patna
4. The Area Education officer, Bikram, Patna
5. The Area Education officer, Sadar, Patna
6. The Area Education officer, Danapur, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surinder Kumar, Advocate
For the Respondent/s : Dr. Anshuman, Sc-14

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

14 21-11-2025 Heard learned counsel for the petitioner and learned
counsel for Respondent-State.

2. This writ application has been filed by the petitioner for issuance of writ of mandamus for commanding the respondent authorities to allow the petitioner to join his duty as Assistant Teachers at Rajkiya Madhya Vidyalaya Ajwan, Naubatpur and to pay his entire salary from 01.05.1997 till today with all consequential benefits.

3. At the outset, learned counsel appearing for Respondent-State submits that the writ application is misconceived and not maintainable in law for the reason that the



representation of the petitioner raising his grievance has already been rejected by the Office of the District Education Officer *vide* Office Letter No. 3924 dated 30.05.2016 and subsequently, even after filing of the writ application, the petitioner had once again filed a representation before the Respondent whereupon the matter was again looked into and *vide* order contained in Memo No. 4721 dated 15.06.2020 (Annexure R-3/A) the claim of the petitioner was outrightly rejected for the reasons contained in the said letter.

4. Learned counsel appearing for Respondent-State submits that these two communications i.e., Office Letter No. 3924 dated 30.05.2016 and order contained in Memo No. 4721 dated 15.06.2020 by which the claim of the petitioner has already been rejected for the reasons as stated in those letters has not been challenged in the present writ application and hence the present writ application is fit to be dismissed on this account itself because these orders have not been assailed by the petitioner.

5. Learned counsel for the petitioner, when confronted with the above submissions, is unable to come up with any satisfactory answer as to why he has failed to assail these two communications by which his claim has already been rejected



by respondent authorities.

6. Without challenging the above orders, the present writ application is misconceived and hence dismissed.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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