

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15770 of 2021

=====

Dilip Baitha S/o Brajesh Baitha, R/o Village Narga, P.S. Bela, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Secondary Education, Govt. of Bihar, New Secretariat, Patna.
4. The District Magistrate, Sitamarhi.
5. The District Education Officer, Sitamarhi.
6. The District Programme Officer (Primary Education and Sarv Shiksh Abhiyan), Sitamarhi.
7. The District Programme Officer, (Secondary Education), Sitamarhi.
8. The Block Education Officer, Parihar, Sitamarhi.
9. The Head Master/Incharge Head Master, Upgraded High School, Narga, Sitamarhi.
10. The President School Education Committee, Upgraded High School, Narga, Sitamarhi.
11. Md. Haidar Ali the then Headmaster Upgraded High School, Narga, Sitamarhi.
12. Sri Balram Pandey, S/o Late Ramwad Pandey, R/o Village P.O. Narga, P.S. Bela, Dist. - Sitamarhi.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Kumar, Advocate.
For the Respondent/s	:	Mr.Jitendra Kumar Roy (Sc13)
For respondent no.12	:	Mr. Parwej Khan, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 04-08-2025 Heard Mr. Shashi Bhushan Kumar, learned counsel appearing on behalf of the petitioner; Mr. Jitendra Kumar Roy, learned SC-13 for the State and Mr. Parwej Khan, learned counsel for the respondent no.12.



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

“i. To quash the memo no. 15 dated 07.12.2020 issued by the respondent no.11 whereby and whereunder the respondent no.12 selected on the post of night guard illegally. A copy of memo dated 07.12.2020 is annexed herewith and marked as Annexure-1 to this application.

ii. To further direct the respondent authority to pay the arrear of salary as well as current salary to the petitioner with effect from June 2020 to till date.

And / or any other appropriate relief(s) to the petitioner for which he may be found entitled under the fact and circumstances.”

3. The Director, Primary Education, Bihar is directed to call for the service particulars of the petitioner from the office of the District Programme Officer (Establishment), Sitamarhi and take a conscious decision, as to why, the petitioner cannot be paid the fixed pay as claimed for in the present writ petition.

4. The above exercise is directed to be completed well within a period of six weeks from the date of communication of this order.

5. The writ petition stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

U			
---	--	--	--

