

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15944 of 2021

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Savita Kumari @ Sabita Kumari Wife of Sri Satyendra Tiwari Resident of
Village - Tiwari Tola, Dariyapur, Police Station - Sangrampur, District- East
Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Bihar, Patna.
2. The Principal Secretary, Education Department, Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, East Champaran at Motihari.
5. The District Programme Officer (Establishment), East Champaran at
Motihari.
6. The Block Education Extension Officer, Sangrampur Block, East
Champaran at Motihari.
7. The Head Master, NPS Mushari Tola, Ward No. 13, Mangalpur, Sangrampur
Block, District- East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate Ms. Mili Kumari, Advocate
For the Respondent/s	:	Mr. Hitesh Suman, AC to SC 13

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 01-07-2025 Heard Mr. Shashank Shekhar, along with Ms. Mili
Kumari, learned counsels appearing on behalf of the petitioner
and Mr. Hitesh Suman, learned AC to SC 13 for the State.

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

*“1. That, this application is being filed on
behalf of the petitioner, a citizen of India, for issuance of
appropriate writ(s), direction(s), order(s) directing the
respondent authorities to make payment of arrear as well
as current salary to the petitioner, with effect from the*



date of her joining dated 23.10.2019 after its proper fixation in accordance with law forthwith and for grant of any other suitable relief/reliefs for which the petitioner is found entitled in the eye of law.”

3. Considering the specific statement made in para-5 and 6 of the counter affidavit, which is reproduced hereinafter:

“5. That it is humbly and respectfully submitted that in the light of Letter No 746 dated 11.07.2022 passed in compliance interim the with order dated 22.06.2022 in CWJC NO 7648/2020, it has specifically directed that the salary of the teachers cannot be held up under any circumstances save and except for want of allotment, and accordingly the District Programme Officer, Estb, East vide Champaran, Motihari, vide its Letter No 2981 dated 07.09.2022 has written to the Branch Manager, State Bank of India, Main Branch, Motihari, for payment of salary (April 2022 to June 2022) those teachers whose salary has been held up for one and another reason, from the bank account of the District Programme Officer, Estb, East Champaran, Motihari in bank account of the respective teachers as per the attached salary sheet. It is worth of consideration that the name of the writ petitioners too finds place at Serial No 128 of the aforesaid salary sheet.

6. That it is pertinent to mention here that the allotment which was made available by the department vide Memo No 3613 dated 29.06.2022 for payment of current salary up to June 2022 has been exhausted in payment of salary to the teachers (April 2022). It is worth of consideration that demand of allotment for payment of arrears of salary has been made by the office of the humble deponent vide its Memo No 1253 dated 11.08.2021 and Letter No 875 dated 23.05.2022 before the State Project Director, Bihar Shikshha Pariyojna Parishad, Patna and soon after receipt of the allotment for payment of arrears of salary of teachers, the same will be paid forthwith.”

I find that if the petitioner has not been paid the entire due amount payable to her, till date, then in light of above information and admission made in para-5 and 6, the same is required to be paid, forthwith, not beyond a period of three weeks from the date of communication of this order.



4. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J)

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