

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16539 of 2021

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Kaushal Kumar Pandey, Son of Late Paras Nath Pandey, resident of Village and P.O. - Reoti, P.S. Reoti, District - Ballia (Uttar Pradesh), presently working as Headmaster Sri Krishnaashrami Sanskrit High School, Harihapur, Block and P.S. Baniyapur, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Special Director, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Saran at Chapra, District-Saran at Chapra.
5. The District Programme Officer (Establishment), Saran at Chapra, District-Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Manglam, Advocate Mr. Awnish Kumar, Advocate
For the Respondent/s	:	Mr. Hitesh Suman, (AC to SC 13) Ms. Kumari Sujata Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 09-05-2025 Heard Mr. S.B.K. Manglam, along with Mr. Awnish Kumar, learned counsels appearing on behalf of the petitioner; Mr. Hitesh Suman, learned AC to SC 13 for the State and Ms. Kumari Sujata Sinha, learned counsel appearing on behalf of the respondent/s.

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

“(I). For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for payment of salary of the



petitioner and other Assistant Teacher of Sri Krishnaashrami Sanskrit High School, Hariharpur where the writ petitioner is posted as the Headmaster of the School since 01.01.2017 and onwards till date, which has not been paid to the petitioner and other Assistant Teachers of his school without there being any order of any authority for withholding their salary and even when the petitioner has already forwarded the pay-bills of his school to the Respondent no.4 duly countersigned by the Secretary of the Managing Committee and to continue to pay their salary regularly if there is no legal impediment in its release.

(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for payment of arrears of salary of the petitioner from April, 2013 to December, 2015 on account of his prosecution to the post of Headmaster in April, 2015 with effect from 27.04.2013 and to pay all the above mentioned amount of arrears of salary with statutory interest since the petitioner and other Assistant Teachers of his school have been made to suffer financial loss due to illegal acts of the Respondents

(III) For issuance of any other appropriate writ/writs, order /orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

3. Specific statement has been made in para-13 of the writ petition that the petitioner, aggrieved by the action of the authority concerned, has filed a detailed representation before the respondent no.4 on 16.03.2018 for payment of his salary and salary of other Assistant Teachers, since January, 2017 by letter no.3 dated 16.03.2018 (Annexure – P 2) and subsequent to that, he has also reminded the respondent nos. 4 and 5 by subsequent letters. Thereafter, the petitioner filed a complaint before the Lokayukta, which was not entertained. The petitioner then approached the Secretary of Bihar Sanskrit Sikhsha Board for payment of salary vide letter no.16 dated 04.05.2021 (Annexure



P 11).

4. In view of the above information and representation/s of the petitioner, being pending before the several authorities, including the Secretary, Bihar Sanskrit Sikhsha Board, the present writ petition is **disposed of** with a liberty to the petitioner to file his fresh detailed representation before the Secretary, Bihar Sanskrit Sikhsha Board, if the payment of salary has not been made to the petitioner, along with all the requisite evidences in support of his claim.

5. It is made clear that the District Education Officer concerned must produce the relevant service particulars relating to the petitioner before the Secretary of the Board within one week from the date of communication of this order. The Secretary of the Board is directed to dispose of the representation in accordance with law by passing a speaking order, within one month thereafter.

(Purnendu Singh, J)

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