

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.188 of 2022

In
Civil Writ Jurisdiction Case No.10075 of 2020

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Vivek Kumar S/o- Sri Yogendra Yadav, R/o- Ward No. 15, Jaipal patti, P.O.
and P.S. Madhepura, District- Madhepur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department.
2. The Director Primary Education, Education Department, Bihar, Patna.
3. The District Magistrate, Madhepura.
4. The District Education Officer, Madhepura.
5. The District Program Officer (Establishment), X
6. The Block Education Officer, Madhepura.
7. The Panchayat Secretary, Panchayat Education Employment Unit Manikpur,
District- Madhepura.
8. The Headmaster upgraded Middle School Indra Awas Mathahi, Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Advocate
For the Opposite Party/s : Mr.Sarvesh Kumar Singh, AAG-13

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-07-2025 Heard the parties.

2.The present petition has been preferred for the
following relief/s:

*(i) for reviewing the order dated 22/03/2022
passed in C.W.J.C.No.10075/2020 by the
then Hon'ble R Single Judge Mr. Justice
Sanjeev Prakash Sharma (in view of the
order dated passed in L.P.A. No.
204/2022)whereby and where under the said*



writ application which was filed for directing the Respondent Authorities to make payment of salaries with interest from the month of June 2016 till today which has not been paid to the Petitioner has been disposed of in terms of the order passed in C.W.J.C.NO. 5489/2020 dated 23.02.2022 by which direction has been given to the concern petitioner to file appeal before the District Teachers Appellate Authority who will decide the matter within three month and direction has also been given to the Chief Secretary to appoint the presiding officers in the District within one month which had been lapsed but till today in Madhepura post of the District Appellate Authority is vacant and the present matter is only with regard to the salary and there is no dispute that petitioner has not worked, for which subsequently this Hon'ble court in a similar matter bearing CWJC No. 7648/2020 Umesh Kumar Suman Vs. The



State of Bihar & Ors, had passed an order on 22.6.2022 and directed the respondent authorities for releasing salary of the teachers in compliance of which the Additional Chief Secretary, Bihar, Patna has issued a letter on 8.7.2022 for payment of salary to the teachers, but the respondent authorities are not paying salary to the petitioner.

3. Mr. Prabhakar Singh, learned counsel for the petitioner submits that the petitioner moved before this Court for payment of salary claiming that he is serving at Manikpur, District- Madhepura and shifted to upgraded Middle School Indira Awas Mathahi, Madhepura but the salary for the period June, 2016 has not been cleared.

4. The petitioner got an order from the writ court, moved in Appeal (L.P.A. No. 204 of 202) and finally before this Court.

5. After some argument, Mr. Prabhakar Singh learned counsel for the petitioner accepts that the petitioner has a remedy before the District Teacher Appointment Appellate Authority, Madhepura which at that time was non-functional.



6. Learned State Counsel submits that if an appeal is preferred, the same shall be taken to its logical conclusion.

7. This Court is of the view that the petitioner has lost number of years due to litigation before the Patna High Court and as such as and when, the appeal is preferred, condoning the delay in filing of the appeal, the authority shall ensure that the matter is taken to its logical conclusion at an earliest.

8. The petition accordingly stands disposed of.

(Rajiv Roy, J)

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