

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11456 of 2017

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Mukul Chandra Sharma Son of Late Mahesh Chandra Sharma, Resident of Village Maghara, P.S. Dip Nagar, District- Nalanda, at present Assistant Teacher, Upgraded Middle School Navin Nagar, P.S. Dip Nagar, District-Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Education Department, Bihar, Patna.
2. The District Magistrate, Nalanda.
3. The District Superintendent of Education, Nalanda.
4. The Block Development Officer cum Member Secretary, Block Employment Committee, Bihar sharif, at Na
5. The Block Education Extension Officer, Bihar Sharif, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Sen Prasad Singh
For the Respondent/s : Mr. Aitesh Suman, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

9 12-11-2025 Heard learned counsel for the petitioner and learned
counsel for the respondent-State.

2. With the consent of both the parties, this writ
application is being disposed of at this stage itself.

3. In the present writ application, the petitioner has
prayed for the grant of following reliefs:

*(i) For issuance of an appropriate
writ/ writs, order/ orders, or direction/
directions particularly in the nature of
mandamus commanding the respondents for
making correction in the appointment letter*



issued to the petitioner vide Memo No. 54 dated 07.07.2014, by which the petitioner has been appointed on the post of Assistant Teacher at upgraded Middle School Dip Nagar, Bihar Sharif on compassionate ground after death of his father, but in the appointment letter it is mentioned that he will be paid fixed salary along with other benefits in future in place of regular appointment.

(ii) For issuance of an appropriate writs/ writs, order/ orders or direction/ directions commanding the respondents to make necessary correction in the appointment letter which has been annexed as Annexure:I to this writ application instead of fixed salary, it should be the salary as applicable in case of the Assistant Teachers appointed on compassionate ground on regular basis.

(iii) For issuance of an appropriate writ/ writs, order/ orders or direction/directions further to make payment of arrears of salary to the petitioner from date of appointment till date and the current salary.

4. Learned counsel for the petitioner submits that for the reliefs claimed for in the present writ application, the petitioner is prepared to file a detailed representation before the



respondent no. 3 i.e. the District Superintendent of Education, Nalanda whose nomenclature has changed and now it is being described as the District Programme Officer (Establishment), Nalanda, within one month from today. Learned counsel for the petitioner further prays that if such a representation is filed within the stipulated time then the respondent no. 3 may be directed to dispose of the representation filed by the petitioner on merit within a fixed time frame after giving an opportunity of hearing to the petitioner.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsel appearing for respondent-State does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to file a detailed representation before the District Programme Officer (Establishment), Nalanda (earlier known as the District Superintendent of Education, Nalanda) within one month from today. If such a representation is filed then the same shall be disposed of on merit within a further period of six months after giving an opportunity of hearing to the petitioner, by passing a reasoned and speaking order.



7. With the aforesaid observation/direction and liberty granted, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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