

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14571 of 2025

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Bibi Ruhi Khatun Wife of Mohammad Islam, Choti Masjid, Ward No. 14,
Jogbani, Haripur, Araria, Bihar 854328.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Education Department,
Government of Bihar, Patna.
2. The Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Programme Officer (Establishment), Supaul.
5. The Block Education Officer, Saraigarh Bhaptiyahi, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Isshan Siingh, Adv.

For the Respondent/s : Mr. Ramadhar Singh, GP-25

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-09-2025

Heard the parties.

2. The petitioner has invoked the jurisdiction of this Court seeking issuance of a writ in the nature of mandamus, directing the concerned respondents to forthwith release the arrears of salary to the tune of Rs.9,24,210/-, which has been due since February, 2023, along with the interest and cost of litigation.

3. To cut short the matter; litigations have arisen, when the payment of the petitioner along with other untrained teachers, was termed as illegal. Such order was questioned in C.W.J.C. No.2556 of 2021 along with other



analogous cases, which did not find favour and came to be dismissed vide order/judgment dated 19.10.2022. The aforesaid order was challenged in L.P.A. No.795 of 2022 along with other analogous cases and the matter came up for consideration before the Full Bench of this Court and the Full Bench unequivocally held that the teachers who remained untrained, their services have to be terminated. The order passed by the Full Bench of this Court has been put to challenge before the Apex Court in S.L.P. Nos.10872-10898 of 2024, wherein the Apex Court vide its order dated 17.05.2024, had directed that until further orders, the status quo has to be maintained and the petitioner and other identically situated persons are still continuing in their services. In the meanwhile, the Additional Chief Secretary, Government of Bihar vide letter no.7 as contained in Memo No.734 dated 08.07.2022, directed all the District Education Officer to make timely payment for work done by the employees but the same has still not been complied, compelling the petitioner to approach before this Court.

4. Learned Advocate for the State seeks a short adjournment to apprise the present position with regard to admissibility of the claim of the petitioner for salary.

5. Considering the nature of the grievance and the



submissions set forth by the learned Advocate for the respective parties, this Court deems it fit and proper to dispose off the writ petition with a direction to the District Programme Officer (Establishment), Supaul to take up the representation of the petitioner (Annexure-P/4 series) and bring to its logical conclusion in the light of the discussions made hereinabove, especially the letter issued by the Additional Chief Secretary, Education Department, Government of Bihar (Annexure-P/3), preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

6. Suffice it to observe that if the claim of the petitioner finds favour, necessary consequential order(s) must be passed within the period stipulated.

7. The writ petition stands disposed off with the aforesaid direction.

(Harish Kumar, J)

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