

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14247 of 2024

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Sonali Bala, Daughter of Om Prakash, Residence of Panch Mohalla, P.S. and District- Jehanabad, Bihar- 804408.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Govt. of Bihar New Secretariat, Patna.
2. The Additional Chief Secretary, Department of Education, Govt. of Bihar New Secretariat, Patna.
3. The District Magistrate, Jehanabad.
4. The District Education Officer, Jahanabad.
5. The Regional Deputy Director Education, Jahanabad.
6. The Head Master, Unkramit Uchch Vidhyalaya Kajisarai, Jahanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Sr. Advocate
		Mr. Subham Kumar Upadhyay, Advocate
For the Respondent/s	:	Mr. Uday Prasad, AC to GP- 22

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 18-08-2025

Heard the parties.

2. The petitioner, who has been serving as a Middle School Teacher at Utkramit Uchcha Vidyalaya, Kajisarai, has approached this Court seeking a direction upon the concerned respondents to ensure payment of her due salary w.e.f. 30.04.2023 till date.

3. Learned Advocate for the petitioner contended that in pursuant to the notification bearing no. 1021 dated 30.07.2013, the petitioner was appointed as Middle School



Teacher and since then she has been discharging her duty to the utmost satisfaction of the authority concerned. Despite the marking of the attendance in the attendance register, it appears that manipulation has been done at the level of the Headmaster of the School and her attendance has been struck off without there being any rhyme and reason.

4. A counter affidavit has been filed on behalf of respondent no.4 with categorical averment that the Headmaster incharge of Upgraded High School, Kajisarai, Jehanabad has furnished a detail report and attendance register stating therein that the petitioner has been continuously absent from February, 2023 onward. The Block Education Officer, Kako also informed that the petitioner was found absent during inspection made on 08.12.2022. The petitioner was also deputed for evaluation of the answer sheet vide Letter No. 171 dated 11.02.2023 for the period 01.03.2023 to 12.03.2023 at evaluation Centre, but despite such direction, the petitioner did not join there nor information was given to the officials. A show-cause notice has been issued to the petitioner, but there is no response on her behalf.

5. The contention of the State respondents have been refuted by the learned Advocate for the petitioner by filing



a rejoinder to the counter affidavit. It is urged that two show-cause notices, which have been referred to in the counter affidavit, *prima facie*, it appears that the petitioner has been allowed only 24 hours to file show-cause reply and moreover it has never been served upon her. The attendance register, which has been produced before the District Programme Officer (Establishment) is subjected to manipulation at the hands of the incharge headmaster of the school concerned.

6. Having considered the rival stand of the learned Advocate for the respective parties, this Court in order to bring the dispute to its logical conclusion, thinks it apt and proper to direct the District Education Officer, Jehanabad to take up the matter and issue notice to both the incharge headmaster of Upgraded High School, Kajisara, Jehanabad and the petitioner after fixing a schedule date, where both the parties shall ensure their presence with the necessary documents and records. It is expected that the concerned respondent after verification of the record shall provide proper opportunity of hearing to them and pass a reasoned and speaking order with respect to due salary of the petitioner, in accordance with law.

7. The entire exercise must be completed preferably within a period of twelve weeks from the date of



receipt/production of a copy of this order.

8. The writ petition stands disposed of.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.08.2025
Transmission Date	NA

