

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17088 of 2025

Md. Shariful Husain son of Md. Suleman, resident of village and P.O. Tehwara, P.S. Katra, District- Muzaffarpur, presently working as Block Teacher, Nationalized Middle School, Sirsi, Block Nanpur, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Muzaffarpur. District - Muzaffarpur.
5. The District Programme Officer (Establishment), Muzaffarpur District - Muzaffarpur.
6. The Block Education Officer-cum-Secretary, Block Teacher Employment Unit Nanpur District Sitamarhi.
7. The Block Education Officer, Nanpur, District Sitamarhi.
8. The Incharge Headmaster, Up-graded High Secondary School, Sirsi, Block-Nanpur, District Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Adv Mrs. Divya Bharti, Adv
For the Respondent/s	:	Mr. Suman Kumar Jha, AC to AAG (3)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 04-11-2025 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 in the nature of MANDAMUS, commanding and directing the Respondent Authorities for payment of arrears of salary from 19.06.2024 as well as current salary of the petitioner on the ground that the order of suspension of the petitioner passed by the Respondent no.6 contained in memo no. 479 dated 19.04.2017 has already been set aside by the Presiding Officer of the District Appellate Authority vide order dated 20.12.2023 passed in Case No.34 of 2017 contained in memo no.275 dated 20.12.2023 and also directed the Respondent no.6 to permit the petitioner to discharge his duty to his earlier post within a period of 30 days and accordingly the petitioner submitted his joining in the school on 19.06.2024 and discharging his duties.

(ii) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent Authorities for payment of salary for the period of suspension on the ground that the First Information Report was lodged against the petitioner as well as putting him under suspension is totally illegal and unwarranted.

(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.

4. After advancing some argument, 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 District Education Officer, Muzaffarpur (respondent no. 4) 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 District Education Officer, Muzaffarpur (respondent no. 4) 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 Education Officer, Muzaffarpur (respondent no. 4) within one month from today and if such a representation is filed then the District Education



Officer, Muzaffarpur (respondent no. 4) is directed to dispose of the same on merit within a further period of three 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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