

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17949 of 2025

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1. Sheonath Prasad Singh Son of Late Ramchandra Singh, Resident of Village-Afzalpur, Puraina, P.O. Nauachak, P.S. Patepur, District-Vaishali at Hajipur, Bihar.
 2. Shail Kumari Devi, Wife of Sri Rajendra Upadhyay, D/o Late Baidhyenath Pandey, Resident of Village-Kauria, P.O. Jaitipur, P.S. Lalganj, District-Vaishali at Hajipur, Bihar.

... .. Petitioners

Versus

1. The State of Bihar through the Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Joint Secretary, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Jahanabad, District-Jahanabad.
5. The District Programme Officer, Jahanabad, District-Jahanabad.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Prakash Chandra, Advocate
For the Respondent/s : Mr. Standing Counsel (18)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 11-11-2025 Heard learned counsel for the petitioners and learned
counsel for the Respondent-State.

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

3. In the present writ application, the petitioners have
prayed for the following reliefs:-

*“I. For issuance of an appropriate writ
or writs in the nature of mandamus*



commanding the concerned respondents to give all consequential benefit to the petitioners from the date of their termination order dated 24.11.2015 to date of their superannuated in light of the order passed by the Hon'ble Division Bench in L.P.A. No. 1254 of 2016 and other analogous cases since the petitioners have been superannuated from their service during the pendency of the writ Petition vide C.W.J.C No. 6448 of 2016, however the Hon'ble Court set aside the termination orders and directs the respondents to consider the case of the petitioners keeping in view the Bihar Litigation Policy, 2011 in the light of the judgments of this Court rendered in L.P.A. No. 1254 of 2016 and other analogous matters, L.P.A. No.1309 of 2017 and L.P.A. No. 1310 of 2017 and grants similar benefits to the petitioners as have been given to the other terminated teachers of the said list but still the consequential benefits including their arrears of salary from the date of his termination order and the retrial benefit have not been paid by the concerned respondent authority. However, similarly situated persons have already been paid their consequential benefits including arrears of their salary from the date of their respective



termination orders.

II. For issuance of appropriate writ or writs in the nature of mandamus commanding the concerned respondents to pay the salary of the Petitioner for month of November, 2015.

III. For issuance of appropriate writ or writs in the nature of mandamus commanding the concerned respondents to pay the retrial benefits to the Petitioners including gratuity and earned leave.

IV. It is further prayed that this Hon'ble Court be pleased to grant any other reliefs for which petitioner is found entitled and an appropriate writ/writs, order/orders direction/directions may be issued under the given facts and circumstances of the case.”

4. Learned counsel for the petitioners submits that for the reliefs as claimed for by the petitioners is on the strength of earlier decision passed by this Hon'ble Court dated 08.09.2023 passed in CWJC No. 6448 of 2016 and analogous cases, which has been brought on record by way of Annexure-P/3 to the writ application. Learned counsel for the petitioners, however, submits that for claiming the aforesaid relief, the petitioners have also filed a representation before the District Education Officer, Jehanabad (Respondent No. 4) which continues to be



pending. Learned counsel for the petitioners, therefore, submits that the petitioners would be satisfied if an appropriate direction could be issued to the District Education Officer, Jehanabad (Respondent No. 4) to dispose of the pending representation of the petitioners dated 01.01.2025 (Annexure P/8 to the writ application) on merit within a fixed time frame after giving an opportunity of hearing to the petitioners.

5. To this prayer being made by the learned counsel for the petitioners, the learned counsel for the Respondent-State does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of directing the District Education Officer, Jehanabad (Respondent No. 4) to dispose of the pending representation of the petitioners on merit after giving an opportunity of hearing to the petitioners, by passing a reasoned and speaking order. The entire exercise must be completed within a period of four months from the date of production of a copy of this order by the petitioners. Needless to emphasize that the final order which shall be passed by the District Education Officer, Jehanabad (Respondent No. 4) should be a reasoned and speaking order.



7. While disposing of the representation, the District Education Officer, Jehanabad (Respondent No. 4) will take into consideration the judgment of this Court dated 08.09.2023 passed in CWJC No. 6448 of 2016.

8. With the aforesaid observation and direction, the present writ application is disposed of. All pending Interlocutory Applications, if any, will stand disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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