

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19076 of 2025

1. Satish Kumar Son of Ramesh Prasad, at present working as Prakhand Teacher at Madhya Vidyalay, Akbarpur, Block- Akbarpur, District- Nawadah.
2. Kumari Anamika, Wife of Kumar Ajit Prasad, at present working as Prakhand Teacher at Madhya Vidyalay, Akbarpur, Block Akbarpur, District- Nawadah.
3. Pramila Kumari, Daughter of Hari Nandan Prasad, at present working as Prakhand Teacher at Madhya Vidyalay Koiribigha, Block- Akbarpur, District- Nawadah.
4. Aditya Narayan Singh, Son of Shiv Nandan Singh, at present working as Prakhand Teacher at Urdu Madhya Vidyalay Makhar, Block- Akbarpur, District- Nawadah.
5. Ruby Kumari, Daughter of Deo Narayan Upadhyay, at present working as Prakhand Teacher at Madhya Vidyalay Karam, Block- Akbarpur, District- Nawadah.
6. Seema Kumari, Daughter of Ram Lakhan Singh, at Present working as Prakhand Teacher at K.M.S. Akbarpur, Block Akbarpur, District- Nawadah.
7. Priyanka Kumari, Daughter of Shashi Bhushan Kumar Sharma, at present working as Prakhand Teacher at U.M.V. Bareilly, Block- Akbarpur, District- Nawadah.
8. Rajnish Kumar, Son of Arvind Prasad Singh, at present working as Prakhand Teacher at U.M.V. Kushmhar, Block- Akbarpur, District- Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Nawadah.
4. The District Programme Officer (Est), Nawadah.
5. The Block Education Officer, Akbarpur, District- Nawadah.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.
For the State : Mr. Akhileshwar Singh, AC to GA-2

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-11-2025

Heard learned counsel for the petitioners and learned



counsel for the State.

2. The instant writ petition has been filed for the following reliefs:-

“1. (i) For issuance of a writ in the nature of certiorari setting aside the impugned order bearing Memo No. 120 dated 21.06.2025 passed in Complaint Case No. 03 of 2024 by learned District Teachers Employment Appellate Authority, Nawadah (Annexure-P/8) whereby in pursuant to liberty granted by this Hon'ble Court in C.W.J.C. No. 7458 of 2024 disposed of vide order dated 13.08.2024 in batch cases giving liberty to the petitioners to move before learned District Appellate Authority first for redressal of grievance of non payment of salary of the working period since 03.08.2015 to till date and accordingly petitioner filed Case No. 03 of 2024 before learned District Appellate Authority, Nawadah which has been disposed of without passing final order on the issue of payment of due salary since 03.08.2015 during which petitioners have discharged duty but by virtue of impugned order claim of petitioners have been denied in pretext of pendency of one complaint 2015 being Case No. 03 of 2026 filed by unsuccessful candidates raising the issue of validity of appointment of petitioners but till date appointment of petitioners have not been cancelled and as such impugned order is bad in eye of law as also contrary to Article 23 of the Constitution of India..

(ii) For issuance of appropriate direction upon Respondents concerned to pay the due salary of petitioners for working period i.e. 03.08.2015 to till date in view of settled proposition of law by



Hon'ble Apex Court in judgment reported in 2022 Live Law (SC) Page 341 (Man Singh Versus State of Bihar of U.P) as well as 2024(1) PLJR (SC) Page 176 (Radheshyam Yadav Versus State of U.P) as also in view of Memo No. 734 dated 08.07.2022 issued by the Respondent State itself specially with regard to payment of salary of working period and despite that non payment of the same in pretext of pendency of case filed by another person is not tenable in the eye of law.

(iii) For issuance of any other order/orders for granting any other relief/reliefs for which the petitioner is found entitled to in the facts and circumstances of the case.”

3. At this stage, learned counsel for the petitioners submits that this case is squarely covered by the Judgment passed by a Coordinate Bench of this Court vide order dated 02.09.2025, passed in C.W.J.C. No. 14166 of 2025 (Sindhu Rani & Anr. Vrs. The State of Bihar & Ors.) and this Case may also be directed to be considered by the District Programme Officer (Establishment), Nawadah (respondent no. 4) in strictly consonance with the parameters, which has been fixed by this Court in the said case.

4. On the other hand, learned counsel for the State has no objection to the same.

5. Considering the aforesaid, this case is also directed to be considered by the District Programme Officer



(Establishment), Nawadah (respondent no. 4), on the representation filed by these petitioners, within a period of two weeks from today, giving full details of the period for which the salaries have not been paid to these petitioners along with supportive documents and on such representation being filed before the District Programme Officer (Establishment), Nawadah (respondent no. 4), the same shall be considered within a period of six weeks from the date of submission of the representation and if it is found that the petitioners have been regularly discharging their duties from the date of their initial appointment, the salary as applicable to them shall also be paid in view of the Judgment referred hereinabove.

6. Accordingly, the instant writ petition stands disposed of.

(Ajit Kumar, J)

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