

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18522 of 2025

1. Pramod Kumar Son of Dwarika Prasad, Resident of Village-Keyal, P.S. Karpi, District-Arwal, present residing at Magistrate Janki City, East of Gola Road, Block-H, Flat No. 304, P.S. Danapur, District-Patna.
2. Sunil Kumar Sinha, Son of Late Shivdhyam Prasad, Resident of Village-Mohan Chak, P.S.-Bikram, District-Patna.
3. Anshu Prakash, Wife of Shailesh Kumar, Resident of New Goshi Tola, Gola Road, P.S.-Danapur, District-Patna.
4. Lal Narayan Prasad, Son of Sri Ram Pratap Mahto, Resident of Near Shiv Mandir, Dujra Chowk, Budha Colony, P.S. Budha Colony, District-Patna.
5. Nirmal Kumar, Jibodhan Ram, Resident of Village-Mojakka, P.S.-Bikram, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Bihar, Patna.
4. The Director, Primary Education, Education Department, Bihar, Patna.
5. The District Education Officer, Patna.
6. The District Programme Officer (Establishment), Patna.
7. Block Education Officer, Danapur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Satyam Shivam Sundaram, Adv Mr. Ankit, Adv Mr. Aman Kumar, Adv
For the Respondent/s	:	Ms. Divya Verma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 18-11-2025 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 this stage itself.

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



(i) For a direction upon the concerned Respondents to make payment of City Transport Allowance which is due from November, 2016 onwards to the Petitioners who have been appointed as Assistant Teacher in different Primary Schools of Patna district.

(ii) For a direction upon the concerned Respondents to implement the guidelines issued by the State Government in this regard particularly for payment of City Transport Allowance for the employees coming within the zone of consideration and residing within the Patna Municipal Area/Patna Urban Agglomeration Area.

(iii) For a declaration that the Petitioners are entitled to the benefit of said allowance as they are residing within the area permissible under the guidelines of the department for the aforesaid benefit.

(iv) For a declaration that the City Transport Allowance, admissible to the Petitioners has been arbitrarily and illegally denied by the Respondent Authorities concerned.

(v) For any other relief/reliefs to which the petitioners are found entitled too.

4. After advancing some argument, learned counsel for the petitioners submits that for the reliefs claimed for in the



present writ application, the petitioners are prepared to file a fresh detailed representation before the respondent no. 5 i.e. the District Education Officer, Patna within one month from today. Learned counsel for the petitioners further prays that if such a representation is filed within the stipulated time then the District Education Officer, Patna may be directed to dispose of the representation filed by the petitioners on merit within a fixed time frame after giving an opportunity of hearing to the petitioners.

5. Learned counsel appearing for the respondent-State points out that the petitioners are claiming relief of City Transport Allowance from November 2016 onwards for which the writ petition has been filed almost after a decade on 17.11.2025. She, therefore, submits that the claim for the past period should not be considered for being granted in favour of the petitioners on the grounds of delay and laches. Learned counsel for the respondent-State, however, has no objection if the petitioners want to file representation before the District Education Officer, Patna, who may be directed to dispose of the same in accordance with law after taking into account the fact that the petitioners are making claim of City Transport Allowance from November 2016 onwards after inordinate delay.



6. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of granting liberty to the petitioners to file a detailed representation before the District Education Officer, Patna within one month from today. If such a representation is filed within the stipulated time then the District Education Officer, Patna is directed to dispose of the same in accordance with law within a further period of six months from the date of filing of the representation after giving an opportunity of hearing to the petitioners, by passing a reasoned and speaking order. While disposing of the representation, the District Education Officer, Patna shall take into account the delay and laches on part of the petitioners to claim City Transport Allowance from November 2016 onwards.

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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