

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.906 of 2026

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Manoj Kumar S/o- Ravindra Prasad Ray, R/o Ward no. 10, Sirdilpur, P.O. and
P.S. - Patori, District- Samastipur, presently working as Principal Utkramit
Middle School Usraha, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education
Department, Government of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The District Education Officer, District- Samastipur.
4. The District Programme Officer (Establishment), District- Samastipur.
5. Ramesh Kumar Sinha, Presently posted as Bada Babu, District Programme
Officer (Establishment), Samastipur, District- Samastipur.
6. Sunil Kumar, Presently posted as dealing Assistant, District - Programme
Officer (Establishment), Samastipur, District- Samastipur.
7. Ranjay Tiwary, Presently posted as dealing Assistant, District Programme
Officer (Establishment), Samastipur, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Alok Ranjan, Adv
For the Respondent/s : Mr.Addl. Advocate General (04)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 22-01-2026 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 Directing and
commanding the respondent authorities for
making payment of the salary to the*



petitioner for the period 11.03.2025 to 22.05.2025, which has already been sanctioned as Commuted leave of 73 days, under Rule 234 of Bihar Service code, by the competent authority i.e. District Programme Officer (establishment) Samastipur vide memo no. 4885 dated 03.09.2025, but, since, the illegal gratification demanded by respondent nos. 5,6&7 are not fulfilled, the due salary of the petitioner has not been paid to the petitioner and the petitioner is made to suffer and is being harassed, for no fault on his part and because of nonpayment of salary the petitioner is suffering leaps and bounds.

(ii) For restraining and commanding the respondent authorities not to take any further coercive action as against the petitioner.

(iii) For directing and commanding the respondent authorities to take appropriate action as against the respondent nos. 5,6&7, after making proper inquiry by independent agency, for demanding illegal gratification, for making payment of the due salary for the period 11.03.2025 to 22.05.2025 which has already been sanctioned as commuted leave and because of the malafied intention, as the demand of illegal gratification demanded by



respondent nos. 5,6&7 was not fulfilled by the petitioner, respondent nos. 5,6&7 have illegally withheld and not paid the salary of the petitioner till date, the legitimate claims of the petitioner has not been redressed and petitioner is being harassed and made to suffer leaps and bounds, due to paucity of salary.

(iv) For making payment of the due salary of the petitioner for the period 11.03.2025 to 22.05.2025, along with penal interest @18% per annum, from the pocket of respondent nos. 5,6&7, who have not made payment of salary to the petitioner, inspite of the fact that the same has already been sanctioned by the competent authority, because of malafied intention of respondent nos. 5,6&7.

(v) For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.”

4. After advancing some argument, learned counsel for the petitioner submits that for seeking the aforesaid relief, the petitioner has filed several representations uptil now but he is prepared to file a fresh representation before the District Magistrate, Samastipur once again and prays that an appropriate



direction be given to the District Magistrate, Samastipur to dispose of the fresh representation which would be filed by the petitioner 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 fresh representation before the District Magistrate, Samastipur within fifteen days from today and if such a representation is filed within the stipulated time then the District Magistrate, Samastipur is directed to dispose of the same within a further period of three months from the date of filing of the representation, after giving an opportunity of hearing to the petitioner. Needless to emphasize that the final order which shall be passed by the District Magistrate, Samastipur should be a reasoned and speaking order. It is made clear that in case, the petitioner is found entitled to the relief as would be claiming through the representation, which the petitioner would be filing, the same should be extended to the petitioner within a further



period of three months from the date of passing of the final order. In such a situation, the District Magistrate, Samastipur is directed to conduct a proper enquiry and make accountable the person on whose dereliction or inefficiency the petitioner has not been granted the relief upto now.

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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