

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2104 of 2019

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1. Pushpraj Padmakar and Anr S/o Madan Prasad Singh R/o Village and P.o.- Madhopur, Hazari, Ps.- Sahebganj, Distt.- Muzaffarpur, working as Teacher at Govt. Primary School, Bangara Gachhi, Tola, Sahabganj, Distt.- Muzaffarpur
 2. Sabita Kumari W/o Sanjay Kumar R/o Village and P.o.- Madhopur Hazari, P.s.- Sahebganj, Distt.- Muzaffarpur, working as Teacher at Upgraded Middle School, Bangara Bazar, Sahabganj, Distt.- Muzaffarpur
 3. Mritunjoy Kumar Singh S/o Ram Naresh Singh R/o Village - Bhindiya, P.o.- Narayanpur, P.s.- Madhaura, Distt.- Saran, working as Teacher at Upgraded Middle School, Bangara Bazar, Sahabganj, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors through the Principal Secretary, Department of Education, Govt. of Bihar, Patna
2. The Director Primary Education Govt. of Bihar, Patna
3. The District Magistrate Muzaffarpur
4. The District Education Officer Muzaffarpur
5. The District Programme Officer (Establishment) Muzaffarpur
6. The Block Development Officer Sahebganj, Muzaffarpur
7. The Block Equation Extension Officer Sahebganj, Muzaffarpur
8. The Secretary Gram Panchayat Raj Bangra Nizamat Sahebganj, Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Tiwary, Advocate Mr. Anshu Kumar, Advocate Mr. Shashanka, Advocate
For the Respondent/s	:	Mr. Jitendra Kumar Royl (Sc13) Mr. Jai Prabhat Kishore, AC to SC-13

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 27-01-2026

Re: I.A. No.01 of 2019

The interlocutory application has been filed for challenging the termination order; however, during the pendency of the writ petition, the petitioners have filed a separate writ petition challenging the termination order as contained in Letter No. 3402 dated 03.09.2019, said to have been issued by the District Programme Officer (Establishment),



Muzaffarpur. Accordingly, this interlocutory application has become infructuous.

2. In view of the above, the I.A. No.01 of 2019 is disposed of as having become infructuous.

Re: CWJC No.2104 of 2019

3. The writ application has been filed for the following reliefs:-

- (i) Salary for the period of August 2013 till date.*
- (ii) Upto date statutory interest over the dues/ arrears abovesaid or the same remain pending due to slagness on the part of answering respondents.*
- (iii) Any other relief for which the petitioner may be found entitled to.*

4. At this stage, learned counsel for the petitioners submits that, since the services of the petitioners have already been terminated and their termination is the subject matter of challenge made before this Court in separate writ application, and therefore, the respondents may be directed to adjudicate the claim of salary for the admitted period, in respect of the duties discharged by them, on the post of Panchayat Teacher, in light of the judgment rendered by the Hon'ble Apex Court reported in ***2022 LiveLaw (SC) 341 (Man Singh v. State of Uttar Pradesh)***.

5. Learned counsel for the State submits that an



appropriate direction may be issued to the District Programme Officer (Establishment) that, after verifying the duties discharged by the petitioners on the post of Panchayat Teacher, the admitted claims of salary may be adjudicated in light of the aforesaid judgment, for which appropriate time may be granted.

6. In view of the submissions made on behalf of both parties, this Court is of the view that, since the petitioners' services have already been terminated and the termination is the subject matter of challenge, but in so far, the claim with respect to salary as against the duties discharged by the petitioners may be considered without creating any equity in their favour. Accordingly, Respondent No. 5/District Programme Officer (Establishment), Muzaffarpur, is directed to adjudicate the claim of the petitioner, who shall file a detailed representation along with all supporting documents within a period of four weeks from today, together with a copy of this order. The claim shall be adjudicated on its own merits, having regard to the duties discharged by the petitioners on the post of Panchayat Teacher for the period indicated above in light of the judgment of the Hon'ble Apex court rendered in the case of Man Singh (supra), and if the claim is found to be justified, the admitted dues shall be paid to the petitioners within a further period of twelve weeks from the date of filing such representation.



7. With the aforesaid observation and direction, the instant writ application stands disposed of.

(Ajit Kumar, J)

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