

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5105 of 2026

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Ajit Kumar Singh, Son of Late Ramdev Mandal, Resident of Vill-
Majarahiya, P.O.- Siripur, P.S.- Hathaudi, Distt.- Samastipur, (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Education Officer, Samastipur.
5. The District Programme Officer (Establishment), Samastipur.
6. The Block Education Officer, Shivajinagar, District- Samastipur.
7. The Head Master, Naya Prathmik Vidyalaya, Mohanbhagi, District- Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhushan, Advocate
For the Respondent/s : Mr. Asit Kumar Jha, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 09-04-2026 Heard learned counsel for the petitioner and

learned counsel for the State.

2. The instant writ application has been filed for the

following reliefs:-

(i) For directing the respondents to dispose of the petitioner's representations dated 19.01.2026 filed for release and payment of his salary of the period 01.08.2010 to 22.04.2011 not paid to him in time in the absence of timely receipt of his absence from duty report. His salary for subsequent period was also delayed but after filing of CWJC No.8968 of 2011 he was paid arrears of salary, but his salary of this period was not released and paid to him as yet, though on his representations verification of



his working was made but till day he has not been paid salary of that period. The petitioner apprehends that non-payment of salary for this period may adversely be interfered in future service. He filed representation dated 19.01.2026 to all respondents under registered post but no order is being communicated on it. The petitioner, by exercising Right to Information has tried to know order on his representation but nothing has been communicated to him as yet.

(ii) For directing the respondents to pay his arrears of salary along with interest at the rate of 12% per annum (or any other rate deemed fit by this Court) on the arrears of salary for the aforesaid period from the date it became due till the date of actual payment.

(iii) Any other order(s) as this Court may deem fit and proper in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the petitioner is discharging his duties as a Panchayat Teacher at Upgraded Middle School, Sripur Majraha. He was initially appointed in the year 2005 and was made a permanent teacher with effect from 01.07.2006, as per the notification of the Human Resources Department, vide Notification No. 7/Niyojan-3-02/06-974/Patna dated 01.07.2006. It is the case of the petitioner that he has been in regular and continuous service, discharging his duties in different Government schools under the control and supervision of the respondents. He was posted on deputation at Naya Prathmik Vidyalaya, Mohanghatti in the year



2010, where, due to the absence of attendance and work records, he did not receive salary for the period 01.08.2010 to 22.04.2011, and on several occasions for several months. The petitioner is said to have filed various representations before the Block Education Officer, Shivajinagar, Samastipur, but the same have not been adjudicated till date.

4. On the other hand, learned counsel for the State submits that since the petitioner has already filed representations, appropriate directions may be issued to the authorities to adjudicate the claim of the petitioner within a stipulated time frame. He further submits that the petitioner had earlier approached this Court by filing writ application being CWJC No. 8968 of 2011, wherein he was directed to prefer an appeal before the District Appellate Authority, Samastipur, for redressal of his grievances. However, from the pleadings made in the present writ application, it does not appear that the petitioner has approached the said authority. He does not dispute the fact that the petitioner has been continuously making representations before the authorities for redressal of his grievances, which have not been adjudicated till date.

5. Be that as it may, considering the fact that earlier writ petition was filed 15 years back and much water has flown,



and the adjudication can be made on basis of official records after verification, this Court directs the District Education Officer, Samastipur, to consider and decide the claim of the petitioner with respect to payment of salary for the period referred to hereinabove. The petitioner shall file a fresh representation before the said authority within a period of four weeks from today, along with all supporting documents. Upon receipt of such representation, the authority shall pass a reasoned order within a period of eight weeks thereafter. Any benefits found admissible to the petitioner upon such adjudication shall be extended to him within the same time frame.

6. With the aforesaid observations and directions, the writ application stands disposed of.

(Ajit Kumar, J)

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