

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6990 of 2026

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Ram Mohan Gupta Son of Ramesh Chandra Gupta, Resident of Village-
Pachokhar, P.O.- Pachokhar, P.S.- Dildarnagar, District- Ghazipur, Uttar
Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar at Patna.
2. The Secretary, Department of Education, Government of Bihar at Patna.
3. The Director, Secondary Education, Government of Bihar, at Patna.
4. The Director, Primary Education, Government of Bihar, at Patna.
5. The District Magistrate, Aurangabad.
6. The District Education Officer, Aurangabad.
7. The District Programme Officer (Establishment), Aurangabad.
8. The Block Education Officer, Rafiganj at Aurangabad.
9. The Block Development Officer, Rafiganj at Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh
For the Respondent/s : Government Pleader (05)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 11-05-2026 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 District Education Officer, Aurangabad (Respondent No.7) to comply with the order dated 26.12.2025 passed by the learned District Teachers Appellate Authority, Aurangabad in Case No.03 of 2025 whereby and whereunder the appeal filed by the petitioner pursuant to the liberty granted by this Hon'ble Court vide order dated 10.04.2025 passed in CWJC No.5486 of



2025 was allowed with a direction to the respondent authorities (Respondent nos.6 to 9) to issue an order reinstating the petitioner to the post of Block Teacher as before and to ensure the payment of the due arrears of salary to the petitioner within a period of 15 days and submit the compliance report;

(ii) For holding the respondent authorities (Respondent Nos. 6 to 9) guilty of contempt of the order dated 26.12.2025 passed by the learned District Teachers Appellate Authority, Aurangabad in Case No.03 of 2025 and to take appropriate legal action against them for their willful and deliberate non-compliance and further to adequately compensate the petitioner for causing extreme mental agony and harassment accordingly;

(iii) For any other relief for which the petitioner is found entitled to in the facts and circumstances of the case.

3. Learned counsel for the petitioners, referring to the order passed by the District Appellate Authority, Aurangabad submits that the grievances of the petitioner has already been adjudicated and appropriate directions with regard to his reinstatement to the post of Block Teacher and to ensure the payment of due arrears of salary to the petitioner within a period of 15 days, has been issued vide order dated 26.12.12.2025. In light of the order dated 26.12.2025 as contained in Annexure-P/2 but till today no action has been taken. It is the case of the petitioner that no appeal has been



preferred by the State authorities or by any person aggrieved by the order passed by the District Appellate Authority. It is further submitted that the Additional Chief Secretary has also issued directions clarifying that if any authority is aggrieved by the order passed by the Appellate Authority, the appropriate statutory remedy of appeal must be availed. In the absence of any such appeal, the order is required to be complied with, failing which the concerned officials would face departmental proceedings for misconduct on account of non-compliance of the statutory order of the Appellate Authority, the reference of such order may be made from the Memo No.580 dated 11.03.2019.

4. At this stage, the learned counsel for the State is not in a position to controvert the statement of the learned counsel for the petitioners and submits that if the order has attained finality, the same needs to be complied with.

5. Considering the submissions of the parties, the petitioner is directed to file a representation before the District Education Officer, Aurangabad, within a period of four weeks from today. Upon receipt of such representation, the District Education Officer, Aurangabad, shall consider and decide the claim of the petitioner within a period of six weeks from the



date of receipt of the representation, strictly in consonance with the directions issued by the Additional Chief Secretary, Education Department, Patna, as contained in Memo No. 580 dated 11.03.2019.

5. It is made clear that Respondent No. 4 shall monitor the issue in question and ensure that, in the event of non-compliance with the order of the District Appellate Authority within the stipulated period, appropriate proceedings are initiated against the District Education Officer, Aurangabad, in accordance with the directions issued by the Additional Chief Secretary. If, even after the expiry of the stipulated period, the District Education Officer, Aurangabad, continues to sit tight over the matter, the petitioner shall be at liberty to bring the same to the notice of Respondent No. 4 for appropriate action.

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

(Ajit Kumar, J)

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