

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8400 of 2026**

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Malti Kumari Daughter of Late Ishwar Singh, Wife of Sri Ram Naresh Prasad, Resident of Village-Housepur P.S.- Aungari, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Government of Bihar, Patna.
5. The District Programme Officer (Establishment) Nalanda, District-Nalanda..
6. Block Education Officer, Islampur Block, District-Nalanda.
7. Headmaster, Upgraded Urdu Middle School, Badi Paithana, Nalanda.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Durga Nand Jha, Adv.

For the Respondent/s : Mr. Anil Kumar Verma, AC to AAG-9

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

2      07-07-2026                      Heard learned counsel for the petitioner and learned counsel for the respondents-State.

2. With the consent of the parties the present writ application is disposed of at this stage.

3. In the present writ application the petitioner has prayed for the grant of following reliefs:

*“1) Issuance of a writ in the nature of mandamus directing and commanding the Respondents to pay the arrear salary to petitioner against the pay scale payable to petitioner on the B.A. trained from 7.10.1993 as per seniority list published on 23.10.2024 pursuant to Judgment dated 12.09.2022 passed in CWJC No.*



15610 of 2018

(ii) Issuance of further writ in the nature of mandamus directing and commanding the respondents, to pay the due salary to petitioner payable to her from 7.10.1998 by issuing formal letter of promotion on the post of Headmaster as permissible after five years from the date of B.A. trained pay scale and also allow the time bond promotion with arrears after 12 years from the date of BA trained pay scale i.e. 7.10.2005 along with adequate amount of interest @ 18% per annum.

(iii) Issuance of an appropriate declaration that once the petitioner had acquired the requisite qualification including training much prior to initial appointment and was allowed Matric trained pay scale w.e.f. 7.10.1985, she is fully entitled to B.A. trained pay scale w.e.f. 7.10.1993 and pay scale of Headmaster was payable to her w.e.f. 7.10.1998 with arrears of pay which can not be withheld on any reason pursuer to judgment dated 12.9.2022 passed in CWJC No. 15610 of 2018.

(iv) Issuance of a further declaration that since petitioner has fulfilled the criteria for time bond promotion after 12 years from the date of B.A. trained pay scale i.e. from 7.10.2005, she is entitled to entire arrears with interest and panel interest forthwith.

(v) Any other relief or reliefs be granted to the petitioner to which she is found entitled to.”

4. After advancing some argument, learned counsel for the petitioner submits that although she has given several



representations to the District Programme Officer (Establishment), Nalanda, District-Nalanda (respondent no.5), but she is once again prepared to file a fresh representation before the said authority and prays that an appropriate direction be given to the District Programme Officer (Establishment), Nalanda to dispose of her fresh representation, which she would be filed, 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 respondents-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 Programme Officer (Establishment), Nalanda, within two weeks from the date of passing of this order. If such a representation is filed within the stipulated time, the District Programme Officer (Establishment), Nalanda is directed to dispose of the same within three months from the date of receipt of the representation, after giving an opportunity of hearing to the petitioner.

7. Needless to emphasize that the final order which



shall be passed by the District Programme Officer (Establishment), Nalanda should be a reasoned and speaking order and in case the petitioner is found entitled to the relief, which the petitioner would be claiming through the representation, the same should be extended to the petitioner within further period of three months from the date of passing of the final order.

8. With the aforesaid observation, direction and liberty granted the present writ application stands disposed of. Pending I.As, if any will be deemed to have been disposed of.

**(Alok Kumar Sinha, J)**

Prakash Narayan

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