

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8324 of 2026

Abhilasha Bharti Daughter of Ram Swarath Sah, Wife of Shri Milan Raj,
Resident of House No.- 2 B, Raj Sadan, in Jagdeopuri, Jagdeopath, Ward No.-
04, P.S - Airport, District- Patna, Presently posted as Exclusive (Vishisht)
Teacher at UMS, Pokharpar, Dhanarua, Block- Dhanarua, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, New Secretariat, (Vikas Bhawan, Bailey Road)
District- Patna.
2. The Director (Primary Education), Department of Education, Govt. of Bihar,
Vikas Bhawan, Bailey Road, Patna.
3. The District Education Officer, District - Patna.
4. The District Program Officer (Establishment), District - Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Avanindra Kumar Jha, Adv. Mr.Bishwash Vijeta, Adv. Mr.Ram Naresh Jha, Adv.
For the Respondent-State:		Mr.Sunil Kumar Mandal, SC-3 Ms.Bittu Kumari, AC to SC-3

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 06-07-2026 Heard learned counsel for the petitioner and learned
counsel appearing 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 issuance of appropriate orders,
direction or writ in the nature of Mandamus for
commanding / directing the respondents concerned
to make payment of arrears of salary and
increments admissible on salary, more precisely*



under following heads :-

(A) Payment of Salary in Trained Scale of Pay, w.e.f. 14.02.2011.

(B) Increments admissible on Salary, particularly and including, for the period of leave without pay, in between 15.08.2013 to 25.08.2025.

(C) Payment of Arrears of Salary & Increment on Salary, for the period of May 2012 to March 2013, i.e., during the period while petitioner was on Maternity Leave.

(D) Full and final settlement of Arrears of Salary and increments admissible on Salary, in trained Scale of Pay, since 26.08.2015.

(E) Payment of Interest, on the arrears, @ 18%, since the payments are pending for 13 years, without there being any fault on the part of Petitioner.

(F) Payment of Arrears under any other admissible head, for which Petitioner may be found entitled.

(ii). For grant of any other relief or reliefs to which the Petitioners may be found entitled to, in the facts and circumstances of this case.”

4. After advancing some argument, learned counsel for the petitioner submits that for seeking the aforesaid reliefs, the petitioner is prepared to file a detailed representation before the Principal Secretary, Education Department, Government of Bihar, Patna (respondent no. 1) and prays that an appropriate direction be issued to the said authority to dispose of his representation, within a fixed time frame, after giving an opportunity of hearing to the petitioner.



5. To the aforesaid submission being made by learned counsel for the petitioner, learned counsel appearing for the 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 detailed representation before the Principal Secretary, Education Department, Government of Bihar, Patna within one month from today. If such a representation is filed within the stipulated time, the same shall be disposed of by the Principal Secretary, Education Department, Government of Bihar, Patna within a maximum period of five 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 Principal Secretary, Education Department, Government of Bihar, Patna should be a reasoned and speaking order. 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 a further period of three months from the date of passing of the final order by the Principal Secretary, Education



Department, Government of Bihar, Patna.

8. 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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