

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10951 of 2026

1. Md. Amanullah Son of Late Md. Neyajul Haque, resident of village Bariyarpur, P.S. Sitamarhi at present posted as teacher in Middle School, Rikhauli P.S. Dumra District Sitamarhi.
2. Prashant Kumar, Son of Late Madan Mohan Prasad, resident of village Chandmari P.S. Motihari District East Champaran, at present posted as teacher in Middle School Ramnagra P.S. Riga District Sitamarhi.
3. Sanjay Kumar Singh, Son of Late Kishori Prasad Singh, resident of village Manjhaulia P.S. Bathnaha District Sitamarhi At present posted as teacher in Middle School Gisara P.S. Parsauni District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary Govt. of Bihar, Patna.
2. The Additional Chief Secretary Cum Principal Secretary Department of Education, Govt. of Bihar, Patna.
3. The District Magistrate, Sitamarhi.
4. The District Education Officer, Sitamarhi.
5. The District Program Officer Establishment Section, Sitamarhi.
6. The District Accounts Officer, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Respondent/s : Mr. Standing Counsel (4)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 28-07-2026 Heard learned counsel for the petitioners and

learned counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

*i. For the payment of arrear salary of these
petitioners from 01.06. 2018 to 31.07.2023.*

*ii. For the payment of arrears of difference
of salary from year 2007 to 01.06.2018.*

iii. For declaration by the Hon'ble Court to



the effect that the entire exercise carried out by the respondent authorities is wholly arbitrary, unreasonable, mala fide and is gross violation of the Principle of Natural Justice.

iv. For any other relief/ reliefs to which these petitioners are found entitled to.

3. Learned counsel for the petitioners submits that the petitioners were appointed on regular vacant post of Assistant Teacher in regular pay-scale vide Memo No.1162 dated 14.05.2018 issued under the signature of District Education Officer, Sitamarhi.

4. It is the case of the petitioners that, prior to their appointment to the post of Assistant Teacher, they had been discharging the duties of Block Teacher since 2007. However, the salary dues for the period from 2007 to 2018 against the post of Block Teacher, as well as the arrears of salary for the period from 2018 to 2023 against the post of Assistant Teacher in the regular pay scale, have not been paid.

5. Learned counsel for the State submits that this matter may be disposed of with liberty to the petitioners to file individual representations before the concerned authorities for adjudication of their claim. The petitioners may be directed to file such representations along with all supporting materials, which shall be considered and adjudicated by the authority



competent in law.

6. Considering the fact that, as per the averments made in the writ petition, the petitioners are discharging their duties on the post of Assistant Teacher, but, for unexplained reasons, the salary for the above-mentioned period has not been paid, the District Education Officer, Sitamarhi, is directed to adjudicate the claim of the petitioners. For the said purpose, the petitioners shall file individual representations within a period of four weeks from today, along with all supporting materials and documents, including a copy of the order passed by this Court. Upon filing of such individual representations, the claim of the petitioners with regard to payment of salary shall be considered in the light of the judgment of the Hon'ble Supreme Court rendered in *Man Singh vs. State of Uttar Pradesh through Secretary & Ors.*, reported in *2022 SCC OnLine SC 726*, and, if the claim is found to be genuine, all admissible dues shall be paid to the petitioners within a period of two weeks thereafter.

7. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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