

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.87 of 2026

Prabhu Das S/o Late Raj Baran Ram, Resident of Village- Chandrabhanpur,
Post- Panapur, P.S.- Karagahar, Dist- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar..
2. The Principal Secretary, H.R.D, Govt. of Bihar.
3. The Director (Primary Education) H.R.D, Govt. of Bihar.
4. The District Magistrate, Kaimur.
5. The District Education Officer, Kaimur.
6. The District Program Officer (Establishment), Dist- Kaimur.
7. The Block Education Officer, Bhagawanpur, Dist- Kaimur.
8. The Headmaster, Upgraded Middle School Raghuvirgarh Block- Chainpur,
Dist- Kaimur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Shankar Choubey, Adv.
For the Respondent/s : Mr. Standing Counsel (21)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 08-01-2026 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:

*“i. For issuance of direction, order or writ
in the nature of Mandamus, or any other*



appropriate writ/writs, order/orders, direction/directions, commanding the respondents to pay arrear of salary from the month of February 2012 to February 2024, periods the respondent authority has restrained to the petitioner to perform his duty on the post of Assistant Teacher as the petitioner was appointed vide order dated 13.02.2012 on the post of Regular Assistant Teacher (Trained) 34540 Grade, after followed due procedure and selection and also on the recommendations of Hon'ble Apex Court in Pay Scale of Rs. 4200/- Band P-2 Grade and latter on wrongly terminated to the petitioner vide letter dated 26.5.2012 and after long litigation the respondent has reinstated to the petitioner vide letter dated 02.02.2024.

ii. To issue a direction, order; or writ upon the respondents to grant all subsequent benefit to the petitioner who has been reinstated the service of petitioner from the date of his termination on the post of Assistant Teacher (Trained)34540 grade, as similarly situated persons have already been granted the same benefit in light of judgment rendered in L.P.A. No. 1254 of 2016, and analogous matter, L.P.A. No. 1309 of 2017 and L.P.A No. 1310 of 2017.

iii. and for the other necessary relief/reliefs to the basis of the facts and circumstances of the case as enumerated and stated hereinafter.”

4. After advancing some argument, learned counsel for the petitioner submits that for seeking the aforesaid relief, the petitioner is prepared to file a representation before the District Education Officer, Kaimur and he accordingly prays that an appropriate direction be issued to the District Education Officer, Kaimur to dispose of the said representation, which will



be filed by the petitioner 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 detailed representation before the District Education Officer, Kaimur within one month from the date of passing of this order, and if such a representation is filed, the District Education Officer, Kaimur shall dispose of the same within a further period of six months from the date of filing of the representation, after giving an opportunity of hearing to the petitioner. Needless to emphasize that the final order which shall be passed by the District Education Officer, Kaimur should be a reasoned and speaking order. It is further made clear that in case the petitioner is found entitled to the relief, which the petitioner would be claiming through its representation, the same should be extended to the petitioner within further period of three months from the date of passing of the final order by the District Education Officer, Kaimur.



7. 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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