

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.718 of 2026

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Surendra Prasad Son of Sadhu Prasad Resident of Village- Dumduma, P.S.-
Daudpur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Saran Division, Saran.
4. The District Education Officer, Saran.
5. The District Program Officer, Saran.
6. The Block Education Officer, Garkha, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Mohan, Advocate
For the Respondent/s	:	Mr. Addl. Advocate General (03)
		Mr. Sanjay Kumar Ghosarvey, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

“For issuance of a writ in the nature of writ of mandamus for commanding the Respondent Authorities to pay the arrears of Salary to the Petitioner who worked since 16.02.2012 as Assistant Teacher in Government Middle School, Dhauaira, Garkha, Saran under General Teacher appointed vide Letter No.3-09/2010-268 issued by the District Education Officer, Saran and for a direction/directions to the Respondents to pay the salary of the work done by the Petitioner as 66 Teachers from the list of 34540 Teachers are being paid as there was specific Order issued by the Principal Education Secretary and for directing the Respondent to recognize the Degree of B.Ed. from



Rashtriya Patrchar Sansthan, Kanpur which was acquired in the year 1994 which was valid before the implementation of NCET Act and for issuance of any other order / orders, relief/reliefs to which the Petitioner may in the facts and circumstances of the case be entitled too.”

3. Learned counsel for the petitioner submits that after appointment of this petitioner on the post of Assistant Teacher and subsequent verification of certificates, the services of the petitioner is said to have been terminated after having allowed this petitioner to discharge his duties from 16.02.2012 to 16.08.2013.

4. It is the case of the petitioner that after termination of the services of this petitioner, the petitioner was never taken back in service but the salaries for the period this petitioner had worked, has not been paid while other similarly situated persons have been paid salaries and their names have been indicated in the representation filed by the petitioner, which is appended with the writ petition as Annexure-P/12, who are Mr. Ehsaan-ullah and Mr. Rajendra Mahto.

5. On the other hand, learned counsel for the State submits that if similarly situated persons have been allowed salary and the case of petitioner is similar to them, then his case may also be directed to be considered by the appropriate



authority for extending benefits on similar basis by fixing a time-line.

6. Considering the submission of the parties, this Court finds it appropriate to direct the petitioner to file appropriate representation giving reference to the earlier representation, which is appended with the writ petition with all necessary documents for adjudication of the claim and as also by indicating the names with supportive materials, if any, in respect of those to whom similar benefits have been extended, so that the matter may be adjudicated by applying parity with such teachers, who have been allowed salary, within a period of four weeks from today and on filing of such representation, it is expected that the District Education Officer, Saran, shall adjudicate this claim strictly by considering his case on its own merits and if the case is found similar, then the benefits shall be extended in favour of the petitioner, within a further period of eight weeks.

7. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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