

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5210 of 2024

Shashi Sinha Son of Sri Saryu Prasad Singh Resident of Village and P.O.-
Bardih, P.S.-Ishlampur, District-Nalanda.

... .. Petitioner/s

Versus

1. The Union of India through the Human Resource Department, Shastri Bhawan, C-Wing, Dr. Rajendra Prasad Road, New Delhi-110001.
2. The Secretary, Human Resources Department, Shastri Bhawan, C Wing, Dr. Rajendra Prasad Road, New Delhi-110001.
3. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
4. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
5. The Director, Primary Education, Education, Department, Government of Bihar, Patna.
6. The District Education Officer, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik, Advocate
For the Respondent/s : Mr. Additional Solicitor General

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-03-2024

Learned counsel for the Government Advocate, submits that the challenge is against second *proviso* of Section 23 of the Right to Children to Free and Compulsory Education Act, 2009, which has already been answered by a Full Bench of this Court in L.P.A. No. 748 of 2022.

2. Learned counsel for the petitioner submits that what would survive is the denial of honorarium between March,



2011 to May, 2022 and from January, 2023 to October 2023. The petitioner has moved the appellate authority and Annexure-P/3 dated 30.08.2017, the appellate authority has allowed the claim.

3. In such circumstances, it is for the petitioner to seek execution of the order passed by the appellate authority.

4. For the period beyond that considered by the appellate authority, the petitioner would be entitled to make a representation before the competent authority, who shall consider the same and dispose of the matter within three months from the date of presentation.

5. The writ petition stands dismissed with the above reservation.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28-03-2024
Transmission Date	

