IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15771 of 2021

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Shweta Prasad

... ... Petitioner/s

Versus

The State of Bihar & Ors.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Chandra Shekhar Singh, Advocate.
For the Respondent/s : Ms. Namrata Singh, AC to GA-12.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 05-05-2025 Heard learned counsel appearing on behalf of the petitioner and learned counsel for the State.

2. Ms. Namrata Singh, learned counsel appearing on behalf of the State informs that the grievance of the petitioner has been redressed, as it would appear from the counter affidavit filed on behalf of respondent no.6 - the present District Programme Officer, Nalanda - Mr. Sujit Kumar Raut, who had sworn the affidavit on 12.11.2022. The petitioner has been paid the entire amount in accordance with law pursuant to the order passed by the District Appellate Authority.

3. In view of the above fact, though the grievance of the petitioner has been redressed, but what appears to be alarming to this Court is that the manner in which the District Programme Officer (Establishment), Education Department works, which is reflected from the counter affidavit filed by the predecessor of Mr. Sujit Kumar Raut, namely, Ms. Poonam Kumari, aged about 47 years, wife of Ashok Kumar, Resident of

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Ashiyana Nagar, P.S. - Rajeev Nagar, District – Patna. The District Teachers Employment Appellate Authority, Nalanda in Appeal No. 57A/2011 had granted relief to the petitioner, which was required to be challenged or complied, but I find that the informations contained in the counter affidavit duly sworn on 29.10.2021 can only be said to be in breach of the order dated 25.07.2011 passed by the District Appellate Authority. Ms. Poonam Kumari deliberately and willfully did not comply with the order passed by the District Appellate Authority with predetermined mind to deny the petitioner due salary to which she was entitled to.

4. The Additional Chief Secretary, Education Department, Government of Bihar, Patna is directed to take appropriate action against Ms. Poonam Kumari, after giving due opportunity to her, who had misled the Court by filing counter affidavit on behalf of the respondent no.6 when she was holding the post of District Programme Officer (Establishment), Nalanda and file an affidavit giving details of the action taken by him.

5. Re-notify after six weeks.

(Purnendu Singh, J)

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