

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19117 of 2010

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1. Ajy Kumar Singh S/O Late Dwarika Prasad Singh R/O Vill.- Mzlishpur, P.S.- Alipur, Distt.- Vaishali
 2. Pramod Kumar Singh S/O Surendra Prasad Singh R/O Mohalla- Pokhara, R.N. College Road, P.S.- Hazipur (Town), Distt.- Vaishali
 3. Shyam Kumar Singh S/O Late Maheshwar Singh R/O Vill.- Singhara, P.S.- Mahua, Distt.- Vaishali
 4. Vinay Kumar Singh S/O Sri Chandrika Singh R/O Vill.- Ketapur, P.S.- Mahua, Distt.- Vaishali
 5. Sanjeev Kumar Singh S/O Late Maheshwar Singh R/O Vill.- Mazlishpur, P.S.- Alipur, Distt.- Vaishali

.... Petitioner/s

Versus

1. The State Of Bihar Through The Director Primary And Secondary Education, Government Of Bihar, Patna
2. The District Magistrte, Samastipur
3. The District Education Officer, Samastipur
4. The Block Education Extension Officer, Block- Patori, Distt.- Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar
For the Respondent/s : Mr. G.P.5

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 09-01-2015 Learned counsel for the petitioners is permitted to add the Block Development Officer, Patori Block, Samastipur as respondent no.5.

An interlocutory application being I.A. No.801 of 2012 filed on behalf of the petitioners has not been pressed. The said interlocutory application is accordingly dismissed as not pressed.

In view of the pleadings on record, learned counsel for the petitioners seeks permission of the Court to withdraw this writ

application in so far as petitioner no.4 (Vinay Kumar Singh) and petitioner no.5 (Sanjeev Kumar Singh) are concerned. The application is dismissed as not pressed with liberty to these petitioners to ventilate their grievances before the appropriate authority/forum in accordance with law.

Heard counsel for the petitioners and Mr. Suresh Kumar, A.C. to G.P.5 for the State .

The rest of the petitioners claim to be appointed as Prakhanda Teacher(s) in Patori Block in the district of Samastipur. Such appointment of the petitioners was made in the year 2007. They claim to have been paid their salary on regular basis till February, 2010. Since March 2010 they have not been paid their salary. Raising the aforesaid grievance the present writ application has been filed.

Even after grant of indulgence no counter affidavit has been filed on behalf of the respondents. Counsel for the State has submitted that if the petitioners have been lawfully appointed and are not being paid their salary then the grievance in this regard can be made before the appointing authority i.e. respondent Block Development Officer who may be commanded to consider and pass a reasoned order thereon.

Counsel for the petitioner appreciating the said stand of

the respondents submits that the petitioners will make a representation in this regard before the respondent Block Development Officer who may be directed to examine the same and pass an appropriate order within a time frame.

The application, in view of aforesaid, is disposed of by permitting the petitioners to make a representation ventilating the aforesaid grievance before the respondent-Block Development Officer within a period of three weeks. If any such application/representation is filed, the Block Development Officer shall consider the same and pass appropriate order thereon in accordance with law as quickly as possible preferably within four weeks from such filing. If the order so passed by the Block Development Officer (respondent no.5) is in favour of the petitioners it will be responsibility of the said authority to ensure compliance thereof.

(Kishore Kumar Mandal, J)

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