

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17129 of 2015

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Ranjana Kumari, Daughter of Mahesh Prasad, Wife of Bashishth Narayan, resident of Kazipur, P.O.- Dumri Simri, P.S.- Dumri Simri, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department, Bihar, Patna.
3. The Director, Primary Education, Human Resources Development Department, Bihar, Patna.
4. The District Programme Officer, (Establishment), Buxar.
5. The District Programme Officer, (Establishment), Patna.
6. The Block Education Officer, Chausa, Buxar.
7. The Block Education Officer, Naubatpur, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Nath Pathak

For the Respondent/s : Mr. A.N. SINHA- GP11

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 29-03-2016

The issue raised in the present writ application by the petitioner related to non payment of salary for certain period of work which the petitioner as an Assistant Teacher has been rendering at the place of her posting.

A counter affidavit on behalf of the District Programme Officer (Establishment), Buxar has been filed. Stand has been taken in para 7 that for the period of work performed by the petitioner i.e. 1.3.2012 to 1.10.2012, there are certain difficulties which have been indicated in para 8 and 9, which has now been sorted out and steps for

payment have already been taken. However, a categorical statement has been made that from 2.10.2012 to 10.2.2014 petitioner was absent unauthorisedly and in support thereof evidence has been annexed.

If this be so, the Court cannot issue any mandamus for payment of salary for the period 2.10.2012 to 10.2.2014. However, it is left open to the petitioner to satisfy the authorities with regard to the said period by authentic evidence, which will be looked into if the occasion arises.

Writ application is disposed of with a direction that the issue of payment of the period indicated as 1.3.2012 to 1.10.2012 must be sorted out without any delay and steps will be taken for payment of current salary as well if there is no other impediment in this regard.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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