

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9115 of 2016

- =====
1. Uma Shankar Prasad Singh Son of Sri Abhaynandan Prasad Singh Resident of village - Barhad, Police Station - Hathori, District - Muzaffarpur, Block Teacher, Upgraded Middle School, Gorhia, Bahadurpur, Goraul, Vaishali.
 2. Asha Kumari Daughter of Laxmi Narayan Singh, Wife of Vijay Prasad Singh Resident of Chitrkut Nagar, Road No. 6, Bibiganj, Post Office - Head Post Office (Sadar), Muzaffarpur, Police Station - Sadar Muzaffarpur, District - Muzaffarpur, Assistant Teacher, Newly Created Primary School, Tarki, Near Jagdamba Asthan, Goraul, Vaishali.
 3. Indu Kumari Daughter of Nageshwar Prasad Singh, Wife of Jairam Singh Resident of Village - Bikhanpura, Police Station - Desari, District - Vaishali, Block Teaceher, Adarsh Middle School, Terasia, Raghupur, Vaishali.
 4. Vibha Kumari Daughter of Sri Radha Mohan Sharma, Wife of Devendra Prasad Thakur Resident of Village - Keshopur Babhangaon, Police Station - Paru, District - Muzaffarpur, Block Teacher, Middle School, Raipur, Vaishali.
 5. Vindu Kumari Daughter of Sri Ramchandra Thakur, Wife of Shakti Nath Singh Resident of Village - Bahilwara Govind, Police Station - Saraiya, District - Muzaffarpur, Block Teacher, Upgraded Middle School Kazuhatte, Vaishali.
 6. Lakshmi Pandey Son of Sri Manohar Pandey Resident of Village - Fatehpur, Police Station - Vaishali, District - Vaishali, Assistant Teacher Upgraded Middle School, Bhagwatpur, North Tola, Vaishali.
 7. Ram Swaroop Singh Son of Sri Ritlal Singh Resident of Village - Hajpura, Police Station - Vaishali, District - Vaishali, Block Teacher, Upgraded Middle School, Kalyanpur, Vaishali.
 8. Rakesh Kumar Son of Sri Jagdish Singh Resident of Village - Lakshmiपुर, Bakhari, Post Office - Fatehpur Fulwariya Via - Dumri, Police Station - Mahua, District - Vaishali, Block Teacher, Government Upgraded Middle School, Lagurao, Balak, Rajapakar, Vaishali.
 9. Sanjay Pandey Son of Sri Kaushal Kishor Pandey Resident of Village - Chakalhdad-Via-Balukaram, Police Station - Vaishali, District - Vaishali, Assistant Teacher, Primary School, Abulhasan Balak, Vasihali.

.... Petitioners

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, New Secretariat, (Bikas Bhawan), Patna.
3. The Director, Primary Education Department, Government of Bihar, New Secretariat (Bikas Bhawan), Patna.
4. The Joint Secretary, Education Department, Government of Bihar, New Secretariat (Bikas Bhawan), Patna.
5. The District Education Officer, Vaishali at Hajipur.
6. The District Programme Officer, Establishment, Vaishali at Hajipur.
7. The Block Education Officer, Vaishali.
8. The Executive Officer-cum-Member Secreatary, Block Teacher Employment Unit, Vaishali at Hajipur.

9. The Block Development Officer, Rajapakar, Vaishali.
10. The Block Development Officer-cum-Executive Officer, Block Teacher Employment Unit, Gorul, Vaishali.
11. The Block Education Officer, Gorul, Vaishali.
12. The Panchayat Secretary, Panchayat Raj Rasoolpur Turki, Gorul, Vaishali.

.... Respondents

Appearance :

For the Petitioner/s : Mr. Niranjan Kumar, Advocate
Mr. Aditya Narayan Singh, Advocate
For the Respondent/s : Mr. Lalan Kumar, AC to GP-9

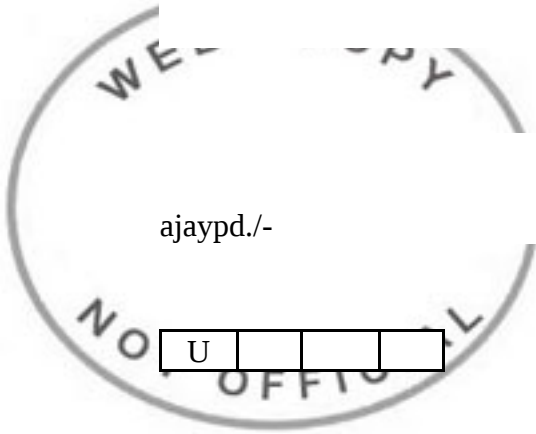
**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI
ORAL ORDER**

5 01-09-2016 After having heard learned counsel for the petitioners and the position emerging from the pleadings, the Court does not want to exercise its discretion by interfering with Annexure-9 at this stage, because the final decision is still required to be taken on the status of these petitioners. Annexure-9 only indicates the reason for stoppage of salary.

So far the salary is concerned, the impugned order dated 27.04.2016, the salary ought not to be stopped in anticipation of a decision, specially, if the petitioners have not been restrained from working as is the stand of the petitioners.

However, final decision is required to be taken at the level of the District Education Officer, Vaishali, so that the uncertainty which prevails due to issuance of Annexure-9 does not continue indefinitely.

Writ application is disposed off with the above observations.



ajaypd./-

U			
---	--	--	--

(Ajay Kumar Tripathi, J)