

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11027 of 2014

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1. Dhirendra Kumar S/o Late Jagdeo Ram Resident of Village Daudnagar, Ward No. 16, Patwa Toli, P.S. Daudnagar, District Aurangabad. At present posted as Assistant teacher Utkramit Madhya Vidyalaya Batura, Barun, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through Deputy Development Commissioner, Aurangabad, Bihar.
2. Deputy Development Commissioner, Aurangabad.
3. District Magistrate, Aurangabad.
4. District Welfare Officer, Aurangabad.
5. District Programme Officer (Establishment), Aurangabad.
6. District Education Officer, Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Respondent/s : Mr. AAG6- Anjani Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 22-12-2016

Heard learned counsel for the parties.

The issue raised by the petitioner cannot be decided and adjudicated under Article 226 of the Constitution of India.

The grievance of the petitioner is that he is not getting salary after his transfer.

The reason for non-grant of salary is non-issuance of LPC or Last Pay Certificate by the previous authority, since a sum of Rs. 5,00,000 /- (five lacs) only was advanced to the petitioner for construction of certain part of some building of the school in question. The construction has not been completed and it is not satisfactory, therefore, certain demands have been raised against



the petitioner.

It is for the petitioner to either satisfy the authority with regard to the completion of the work or the utilization of the fund. This Court will not exercise its discretion under Article 226 of the Constitution of India.

Writ application is dismissed, with liberty as above.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	23.12.2016
Transmission Date	

