

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8221 of 2017

1. Mukesh Kumar, S/o Shyam Sunder Prasad, Resident of Village- Biju Bigha, PO- Biju Bigha, PS- Meskaur, District- Nawada.
2. Amresh Kumar, S/o Dinesh Kumar, Resident of Village- Maknandan Bigha, PO- Jaitpur, PS- Chandi, District- Nalanda.
3. Ashok Kumar, S/o Umesh Prasad Yadav, Resident of Village- Sartakia, PO- Hasua, PS- Hasua, District- Nawada.
4. Sarita Kumari, W/o Rakesh Bihari, Resident of Village- New Area, Nawada, PO- Nawada, PS- Nawada, District- Nawada.
5. Vibha Kumari, W/o Binod Chaudhary, Resident of Village- Kasta Pachrukhi, PO- Rajhat, PS- Akbarpur, District- Nawada.
6. Daisy Kumari, W/o Raushan Kumar, Resident of- New Area, PO- Nawada, PS- Nawada, District- Nawada.
7. Sandip Kumar, S/o Ishwar Singh, Resident of Village- New Jaganpura, PS- Ramkrishna Nagar, District- Patna.
8. Vibha Kumari, D/o Ram Naresh Singh, Resident of- Pakri, PO- Kusumar, PS- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. The Director, Education Department, Govt. of Bihar, Patna.
4. The Adll. Director, Education Department, Govt. of Bihar, Patna.
5. The District Magistrate cum Collector, Nawada at Nawada.
6. The District Education Officer, Nawada at Nawada.
7. The District Programme Officer (Estb.), Nawada.
8. The Block Development Officer, Nawada Block, Nawada.
9. The Block Education Officer, Nawada Block, Nawada.
10. The Mukhiya, Gram Panchayat Raj, Nanaura Gram, Nawada cum Chairman Selection Unit Panchayat Teacher, Nanaura Gram Panchayat.
11. The Secretary, Gram Panchayat Raj Nanaura Gran Panchayat, Nanaura, Nawada.
12. The Chairman School Education Committee, Primary School, Sahebchak, Nawada.
13. The Head Master, Primary School, Sahebchak, Nawada.
14. The Chairman School Education Committee, Primary School, Musab Bigha, Nawada.
15. The Head Master, Primary School, Musab Bigha, Nawada.
16. The Chairman School Education Committee, Primary School, Kurma, Nawada.
17. The Head Master, Primary School, Kurma, Nawada.
18. The Chairman School Education Committee, Primary School, Madhu Bigha, Nawada.
19. The Head Master, Primary School, Madhu Bigha, Nawada.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Respondent/s : Mr. SUBHASH CHANDRA MISHRA- SC16

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

In para-9 of the writ petition there is statement that the petitioners were issued letter of appointment on 13.1.2014 and thereafter they have joined the school in question as per the statement made in para-11. The petitioners have further stated in para-13 that they are regularly working and they have made representation to the higher authorities but they have not passed any order with regard to payment of salary to the petitioners.

Be that as it may, if the petitioners are working pursuant to the valid selection process and they are regularly working, there is no justification in not making payment of salary.

In the aforesaid circumstances, the writ petition is disposed of with the direction to the District Programme Officer (Establishment), Nawadah to look into the grievance of the petitioners and if it is found that the appointment of the petitioners is legal and valid and they are regularly discharging their duties, he shall ensure payment of salary - arrears as well as current - within a maximum period of three months from the date of receipt/production of a copy of this order.



In the event the respondents does not find merit in the claim of the petitioners, the respondent No. 7 is required to assign cogent reason for refusing payment of salary to the petitioners. Such exercise must be completed within three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition is disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

U			
---	--	--	--

