

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10629 of 2017

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1. Nira Kumari daughter of Umesh Mandal, Resident of Village-Mulkia, P.O. Dibra Bazar, P.S. Barhara Kothi, District- Purnea.
 2. Ajay Kumar Son of Ambika Prasad, Resident of Village-Kamalpur, P.S.+ Block- Barhara Kothi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Purnea.
4. The District Education Officer, Purnea.
5. The District Programme Officer, Purnea.
6. The Block Development Officer, Barhara Kothi, Purnea.
7. The Block Education Extension Officer, Barhara Kothi, Purnea.
8. The Head Master Utkramit Madhya Vidyalaya Gahil Asthan, Barhara Kothi, Purnea.
9. The Head Master, Madhya Vidyalaya Baghwa, P.S.+ Block- Barhara Kothi, District- Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate
For the Respondent/s : Mr. Dharendra Kr. Roy- SC13

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 22-12-2017 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ petition is confined to payment of arrears of salary for the period from January, 2011 to September, 2011.

Learned counsel appearing on behalf of the petitioner has drawn attention of the Court to the order passed by a Co-ordinate Bench of this Court on 15.11.2016 in CWJC No. 1627 of 2011, as contained in Annexure-3 to the writ petition. He



submits that the petitioner was reinstated during the pendency of the writ petition but the salary for the aforesaid period January, 2011 to September, 2011 has not been paid although he has regularly received salary after September, 2011.

In view of the aforesaid, the writ petition is disposed of with the direction to the respondent-District Programme Officer, Purnea to examine the claim of the petitioner and if it is found that the petitioner has actually worked during the aforesaid period, ensure payment of salary for the period mentioned hereinabove. Such exercise must be completed within a period of 60 days from the date of receipt/production of a copy of this order.

It is made clear that if the petitioner is found entitled to payment of salary for the aforesaid period and the same is not paid within the aforesaid period of 60 days, the same shall carry interest @ 9% per annum which shall be liable to be paid by the erring Officer from his own pocket.

(Anil Kumar Upadhyay, J)

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