

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16878 of 2011

=====

1. Md.Nasimuddin S/O Late Main Jaan Ali Resident Of Village And Post Mubarakchak P.S.- Purabsarai District Munger At Present Residing And Posted As Head Maste At Primary Maktab, Sangth, Post Amrath, P.S. Jamui, District- Jamui

.... Petitioner

Versus

1. The State Of Bihar
2. The Deputy Director Of Primary Education Department Of Human Resources, Govt. Of Bihar
3. The District Superintendent Of Education, Jamui
4. The District Education Office, Jmaui, Bihar
5. District Magistrate, Jamui-Cum-Chairman, District Establishment Committee, District- Jamui
6. The Director Primary Education-Cum Additional Secretary, Govt. Of Bihar, Patna
7. Block Education Extension Officer, Jamui

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Azhar Kareem

For the Respondent/s : Mr. Dhurandhar Pd. Chy Sc2

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

11 17-08-2017

The present writ application has been filed on behalf of the petitioner for payment of salary from April, 2004 till today. The petitioner has been working on the post of Assistant Teacher at Primary Maktab Sangthu, Jamui.

It has been submitted on behalf of the petitioner that the petitioner was restrained from making his attendance in the school attendance register on the ground that his educational certificate was being verified though the work of the teacher was being taken from him. The petitioner was given election duty also from time to time. After the verification of the certificate of the petitioner, the



petitioner approached the authorities for allowing him to make his attendance in the school register but still he was denied to make his attendance in the school register.

On behalf of the State, it has been submitted that as per the attendance register, the petitioner has been on unauthorized leave since August, 2006 onwards. In support of his contention, he has enclosed the copy of attendance register.

The issue relates with the disputed fact and the same cannot be decided in the writ jurisdiction. The petitioner is directed to file a representation before the Director, Primary Education-cum-Additional Secretary, Government of Bihar, Patna within a period of 30 days from the date of the order, which shall be disposed of by him, after conducting due inquiry, within a period of four months, from the date of receipt of such application and necessary order shall be passed with respect to any consequential benefits, for which the petitioner is entitled for.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

Amit/-

U			
---	--	--	--

