

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18453 of 2017

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Devendra Maharaj, Son of Late Aryug Maharaj, Resident of Village+P.O.-
Arap, Police Station- Bikram, District- Patna, Presently posted as Assistant
Teacher in Upgraded Middle School, Narayanpur, Police Station- Bikram,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of the Education
Department, Government of Bihar.
2. The District Magistrate, Patna.
3. The District Education Officer, Patna.
4. The District Programme Officer (Establishment), Patna.
5. The Block Education Officer, Bikram, District- Patna.
6. The Block Education Officer, Naubatpur, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Singh
Mr. Rajesh Kumar Singh
For the Respondent/s : Mr. Kumar Kamal Nayan, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The grievance of the petitioner in the instant writ
petition is payment of arrears of salary.

In para-13 it has been stated that on account non-
availability of the allotment, the salary of the petitioner for the
period of October 2006 to 9th of March has not been paid. The
matter is pending at the level of Block Education Officer, Bikram.

The issue with regard to payment of salary is pending
for the last nearly nine years.

Under such circumstances, the writ petition is



disposed of with direction to the respondent no.4, the District Programme Officer (establishment), Patna to examine the claim of the petitioner and if it is found that the petitioner is entitled to admitted salary for the period aforesaid, the arrears must be paid to the petitioner within a period of three months from the date of filing of representation alongwith receipt/production a copy of this order.

Accordingly, the petitioner is directed to file a detailed representation enclosing therein details of circumstances in which the payment was not made to the petitioner.

It is made clear that the respondent no.4, the District Programme Officer (establishment), Patna has to take final decision on the claim of the petitioner for payment of arrears of salary and in case the respondents finds reason for refusing, he has to assign reason for refusing the payment, otherwise the respondents are required to make payment of the entire arrears within a period of three months from the date of receipt as indicated above.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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