

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1871 of 2017

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Harishankar Kumar, Son of Late Surendra Ram, Resident of Village- Goraul,
P.S.- Goraul, District- Vaishali (Hajipur) ... Petitioner

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
 2. Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
 3. District Magistrate, Vaishali.
 4. District Education Officer, Vaishali.
 5. District Programme Officer, Vaishali.
 6. Block Development Officer-Cum-Secretary, Prakhand Niyojan Samiti,
Goraul, Vaishali.
 7. The Block Education Officer, Goraul, Vaishali.
 8. The Head Master Rajkiya Kanya Middle School, Goraul, Vaishali
... Respondents
- =====

Appearance :

For the Petitioner : Mr. Suresh Prasad Singh, Adv.
For the Respondents : Mr. Narendra Kumar, AC to GP XX

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 15-03-2018 Learned counsel for the petitioner is permitted to

make necessary correction in the details of respondents during

the course of the day.

Heard the learned counsel for the petitioner and the

learned counsel appearing for the State

Learned counsel for the petitioner submits that the

petitioner has worked as Tola Sevak on his engagement in

accordance with law, yet he has not been paid honorarium for

the period he has worked.

In view of the fact that issue of payment of

honorarium requires factual enquiry by respondent no. 9, the

District Programme Officer, Literacy, Vaishali at Hajipur, who is



competent to examine the relevant records and on verification he would be in a position to decide whether the petitioner's engagement as Tola Sevak was legal and valid as he has actually worked as Tola Sevak.

Considering the above, this writ application is **disposed off** with the direction to the District Programme Officer, Literacy, Vaishali at Hajipur, to verify the records and on verification, if it is found that the petitioner was admittedly engaged as Tola Sevak and has performed the duty of Tola Sevak for the period the petitioner is claiming honorarium. In the present case necessary orders for payment of honorarium shall be made by respondent no. 9 (District Programme Officer, Literacy, Vaishali at Hajipur,) within a maximum period of sixty days, from the date of receipt/production of this order.

It is made clear that this Court has not expressed any opinion on the validity of the engagement of the petitioner as Tola Sevak or his claim of entitlement of payment of honorarium as it is up to the District Programme Officer, Literacy, Vaishali at Hajipur, to ascertain the claim of the petitioner.

(Anil Kumar Upadhyay, J)

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