

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2670 of 2017

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Kumari Sushma, D/o Bageshwari Prasad Singh, Resident of Village-
Pindraun, P.O.- Kala, P.S. Laxmipur, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum-Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Director of Education (primary Education), Department of Human Resources Development, Government of Bihar, Patna.
3. The Member, District Teachers Appellate Authority, Jamui.
4. The District Superintendent of Education, Jamui, Bihar.
5. That Block Development Officer, Laxmipur Block, District- Jamui.
6. The Block Education Extension Officer, Laxmipur Block, District- Jamui (Bihar).
7. The Panchayat Secretary, Pindraun Gram Panchayat, Laxmipur Block, District- Jamui, Bihar.
8. The Mukhia, Pindraun Gram Panchayat, Laxmipur Block, District- Jamui (Bihar).
9. The District Programme Officer (Establishment), Jamui.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh, Sr. Advocate
Mr. Rajeev Kumar Singh, Advocate

For the Respondent/s : Mr. Prabhat Ranjan Singh, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

3 21-02-2018 Learned counsel for the petitioner is permitted to

make the District Programme Officer (Establishment), Jamui as

respondent no.9 during the course of the day.

Heard learned counsel for the petitioner and State.

Mr. Rajendra Prasad Singh, learned senior counsel

appearing on behalf of the petitioner has drawn the attention of

this Court to the order dated 30.05.2013 passed by the District

Teachers Employment Appellate Authority, Jamui in case no. 04



of 2012 (Annexure-6). The appeal was disposed of by the Appellate Authority pursuant to the direction of this Court dated 24.02.2012 passed in C.W.J.C. No. 19011 of 2008. From perusal of Annexure-6, it appears that after considering the facts and circumstances of the case the Appellate Authority has passed the order for payment of salary to the petitioner treating the petitioner to be untrained teacher. Despite the order passed by the Appellate Authority (Annexure-6), the respondents have not bother to implement the direction, the decision of the Appellate Authority is required to be implemented unless it is reversed by a competent Court or Appellate Authority.

In the present case, the order was passed on 30.05.2012, more than five years and 10 months have passed by now, yet the respondents have not bother to implement the order passed by the District Teachers Employment Appellate Authority, Jamui.

Under the aforesaid circumstance, the Court is constrained to direct respondent no.9 to pass appropriate order with regard to payment of arrears of salary and current salary to the petitioner in compliance of the direction passed by the District Teachers Employment Appellate Authority, Jamui, as contained in Annexure-6, within a maximum period of 60 days from the date of



receipt/production of a copy of this order, failing which the arrears will carry interest at the rate of 9% per annum from the date of accrual to the date of actual payment and the interest component shall be realized from the erring officer, who are responsible for delay in making the payment to the petitioner.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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