

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4977 of 2018

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Tej Narayan Ojha, son of Sri Ram Narayan Ojha, Resident of Village-Semaria, Police Station- Shahpur, District-Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
2. The Director, Primary Education, Government of Bihar, Patna
3. The District Education Officer, Bhojpur at Arrah
4. The District Programme Officer (Establishment), Bhojpur at Arrah
5. The Block Education Officer, Shahpur Block, District- Bhojpur at Arrah
6. The Headmaster, New Primary School, Yadav Tola, Block Shahpur, District-Bhojpur at Arrah

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramanuj Tiwary, Advocate
For the Respondent/s : Mr. J.P.Kishore, AC to SC13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-03-2018 Herd learned counsel for the petitioner and the State.

The grievance of the petitioner in the present writ petition is non-payment of salary.

Learned counsel for the petitioner submits that the petitioner has not been paid salary from 4.8.2014 although he was legally and validly appointed and regularly working.

The issue of payment of salary requires enquiry (a) as to validity of the appointment and (b) whether the petitioner has worked for the period he is claiming salary. These two factual aspects are required to be enquired into by the respondents on the basis of the relevant records and materials



lying with them.

In view of the above, the writ petition is disposed of with a direction to the District Programme Officer, Bhojpur at Ara to examine the legality and validity of appointment of the petitioner and also to ascertain whether the petitioner has actually worked for the period he is claiming salary.

In the event the respondent-District Programme Officer finds the appointment of the petitioner legal and valid and the petitioner has worked for the period he is claiming salary, necessary order for payment of salary must be passed within a maximum period of 60 days from the date of receipt/production of a copy of this order and entire monetary benefits in the nature of arrears as well as current must reach to the petitioner within a further period of one month thereafter.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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