

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.272 of 2018

Navin Kumar, S/o Lakhan Singh, R/o Punaul, P.O.- Chota Sheikhpura, P.S.- Narhat, Distt.- Nawada at present posted as Asst. Teacher Newly Created, Primary School, Rajapur, Mayapur, P.S. Narhat, Distt.- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. The Director, Education Department Govt. of Bihar, Patna.
4. The Adll. Director Education Department, Govt. of Bihar, Patna.
5. The District Magistrate cum Collector, Nawada at Nawada.
6. The District Education Officer, Nawada at Nawada.
7. The District Programme officer, (Estb.), Nawada.
8. The Block Development Officer, Narhat, Block, Narhat, Nawada.
9. The Block Education Officer, Nardiganj, Block, Nardiganj, Distt. Nawada.
10. The Mukhiya, Gram Panchayat Raj, Punthar Panchyat, Punther, Narhat Nawada cum Chairman Selection Unit Panchyat Teacher, Punther Gram Panchyat, Punther, Block Narhat, Distt.- Nawada.
11. The Secretary, Gram Panhyat Raj Punther Gram Panchyat Punther, Block Narhat, Distt.- Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
For the State : Mr. Sunil Kumar, AC to GA12

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-02-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ petition is non-payment of salary. The petitioner claims that he has been regularly working but he has not been paid salary.

In para-13 of the writ petition there is statement that the petitioner has made representation but there is no indication as to whom the petitioner has represented. The representation has



not been enclosed. In para-18 to the petition there is statement that the petitioner requested many times orally.

In view of the above, counsel for the State submits that the petitioner should have first approached the authorities for redressal of his grievance and in case the grievance of the petitioner is not redressed only then he should have approached this Court.

In view of the above, learned counsel for the petitioner submits that the petitioner will file a detailed representation indicating therein his claim before the respondent-District Programme Officer, respondent No. 7.

Accordingly, the writ petition is disposed of with liberty to the petitioner to approach the respondent No. 7 who shall examine the claim of the petitioner and on verification of the record, if he finds substance in the claim of the petitioner he shall pass appropriate order for payment of salary as taking work and denying salary is violative of Article 23 of the Constitution of India. Necessary order on the representation of the petitioner, if filed within one month from today, shall be passed by the respondent No. 7 within a maximum period of 60 days from the date of receipt/production of a copy of this order along with the representation.



With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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