

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6276 of 2018

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1. Abha Kumari, Daughter of Ram Briksh Singh, Resident of Village-Ufaul,
P.O.-Desri, P.S. desri, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The District Education Officer, Vaishali, Hajipur.
3. The District Programme Officer, Vaishali, Hajipur.
4. The Block Development Officer Cum Secretary, Block Teachers Selection Committee, Sahdei Bujurg, District-Vaishali, Hajipur.
5. The Block Education Officer, Sahdei Bujurg Block, District-Vaishali, Hajipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar

For the Respondent/s : Mr. Prabhakar Jha- Gp27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 20-04-2018 Heard the learned counsel for the petitioner and counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ application is stoppage of non-payment of salary without any justifiable reason. Learned counsel for the petitioner submitted that the petitioner was appointed on the post of Block Teacher. In the name of verification, the respondent has stopped salary. Since the verification of certificate is in conclusive stoppage of salary is not justifiable. In CWJC No. 11852 of 2017, this Court has occasioned to consider the counter affidavit filed on behalf of District Programme Officer, Vaishali wherein the specific stand was taken by the respondent District



Programme Officer (Establishment) Vaishali that the verification is still incomplete. The Court considering the aforesaid directed the respondent for payment of arrears considering their undertaking dated 17.10.17 wherein it was indicated that the payment should be made subject to the condition that in case it is found that the appointments are irregular, the salary should be recovered with interest.

In the aforesaid circumstance, the Court is inclined to issue some direction to the respondent for making payment of salary to the petitioner with a condition that in case adverse decision is taken by the respondent and appointment is found irregular, the salary paid to the petitioner shall be recovered with interest. The entire exercise with regard to payment of salary must be completed within a maximum period of 60 days from the date of production of a copy of the order.

With the aforesaid, this writ petition stand disposed of.

(Anil Kumar Upadhyay, J)

Sanjeev/-

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