

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12738 of 2016

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1. Sandhya Rajak ,Wife of Suresh Baitha, resident of Village- Bhopatpur, P.O.- Sisai, P.S.- Bhore, District- Gopalganj (Bihar).
 2. Hemant Kumar Srivastav, Son of Shashi Bhushan Lal Srivastav, resident of Village- Kharauni Vrit Tola, P.O.- Bhagwanpur, P.S.- Bhore, District- Gopalganj (Bihar).
 3. Raj Kishore Tiwari, Son of Shambhu Sharan Tiwari, resident of Village- Lakshmipur, P.O.- Lamichaur, Anchal- Bhore, P.S.- Bhore, District- Gopalganj (Bihar).
 4. Sunita Maurya, Wife of Radha Raman Maurya, resident of Village- Mohanpur, P.O.- Mohanpur, P.S.- Bhore, District- Gopalganj (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. District Magistrate Officer, Gopalganj, District- Gopalganj (Bihar).
4. District Education Officer, Gopalganj, District- Gopalganj (Bihar).
5. District Programme Officer (Establishment), Gopalganj, District- Gopalganj (Bihar).
6. Block Development Officer, Bhore, District- Gopalganj (Bihar).
7. Block Education Officer, Bhore, District- Gopalganj (Bihar).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raju Giri, Advocate

For the Respondent/s : Mr. S. K. Ranjan, AC to GP-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 19-02-2018

In view of the order dated 11.08.2014 passed in C.W.J.C. No. 8396 of 2013, as contained in Annexure-10, the State respondents are required to ensure payment to the petitioners from 09.01.2015 onwards.

Learned counsel for the respondents submits that the State has filed appeal against the decision of the District Appellate Employment Authority before the State Appellate Authority.



Mr. Raju Giri, learned counsel for the petitioners submits that in view of the decision contained in Annexure-10, the State Appellate Authority has no jurisdiction to take final decision in the matter, as the order of the District Appellate Authority has merged in the order of the Writ Court (Annexure-10).

Mr. Giri submitted that there is no justification not to carry out the direction of the District Appellate Authority, particularly, in view of the fact that the order of the District Appellate Authority has the approval of the Writ Court vide order dated 11.08.2014 passed in C.W.J.C. No. 8396 of 2013, as contained in Annexure-10.

In view of the above, the respondents are directed to carry out the direction passed by the District Appellate Authority, as approved by this Court in C.W.J.C. No. 8396 of 2013 (Annexure-10) and follow up order in this regard must be issued by the respondent within a maximum period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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