

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2930 of 2018

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Jai Prakash Prasad, Son of Sri Bishundeo Bind, resident of Village- Jhikatiya,
P.O. Rukundi, P.S.- Bandhya (Goh), District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Magistrate, Aurangabad.
4. The District Education Officer, Aurangabad.
5. The District Superintendent of Education (Establishment), Aurangabad.
6. The Block Development Officer, Goh, Aurangabad.
7. The Block Education Extension Officer, Goh, Aurangabad.
8. The District Programme Officer (Establishment), Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha
For the Respondent/s : Mr. S.C.MISHRA -SC16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-02-2018 Learned counsel for the petitioner is permitted to add

District Programme Officer (Establishment), Aurangabad as

party respondent no.8.

Heard learned counsel for the petitioner and the counsel
appearing on behalf of the State.

The petitioner has filed the present writ application for a
direction to the respondents to pay the arrears of salary for the
period 18.12.2017 till date and further for payment of current
salary on month to month basis.

Learned counsel for the petitioner submits that the



petitioner was earlier put under suspension vide order dated 18.12.2012 and in view of the decision of the Selection Committee his suspension was revoked with a direction to pay the salary from the date of his suspension.

From the averment made in the writ petition, it appears that since no decision was taken one way or the other with regard to entitlement of the petitioner, it would be appropriate if the petitioner is relegated to approach departmental authority, the respondent no.8 is required to take final decision with regard to entitlement of the petitioner for payment of salary and current arrears within a period of three months from the date of receipt/production of a copy of this order.

In the event, the claim of the petitioner is found justified, necessary order for payment of salary may be issued by the respondent within a further period of one month.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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