

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2981 of 2018

1. Tirupati Nath, Late Arun Kumar, Resident of Mohalla-Paschim Tola, P.S. Town Thana, Nala, Ara, District Bhojpur.
2. Ashok KUMar, Son of Bahadur Prasad, Resident of Village+Post Chaturbhuji Baraw, P.S. Piro, District Bhojpur.
3. Vishnu Shankar Pandey, Son of Indradev Pandey Resident of Village-P.O. Dhobaha Poshwa, P.S. Agion, District Bhojpur.
4. Ruby Upadhyay, Daughter of Sri Bishnu Shankar Pandey, Resident of Village-P.O. Dhobaha Poshwa, P.S. Agion, District Bhojpur.
5. Rabindra Kumar Singh, Son of Sri Badri Prasad Singh, Resident of Mohalla-krishna Nagar, Maula Bagh, P.S. Nawada Ara, District Bhojpur.
6. Ramesh Upadhyay, Son of Ram Vikal Upadhyay, Resident of Village-P.O. kalayanpur, P.S. Bihiya, District Bhojpur.
7. Pushpa Kumari, W/o Late Hari Shankar Lal, Resident of Mohalla-Nehru Nagar, Sapana Cinema, P.S. Ara, Nawada, District Bhojpur.
8. Pradeep KUMar Raj Son of Sri Shambhu Nath Rai Resident of Village-P.O. Sundarpur Baraj, P.S. Bihiya, District Bhojpur.
9. Ramesh KUMar Singh, Son of Shyam Sundar Singh, Resident of Village + P.O. Kandiya Hardiya, P.S.-Bihiya, District Bhojpur.
10. Piyush Kumar Pandey, Son of Shivnath Pandey, Resident of Village + P.O. Bindaul, P.S. Bihta, District-Patna.
11. Sushil Kumar Singh, Son of Sri Ramanuj Singh, Resident of Village + P.O. Khopira, P.O. Pawana, P.S. Agion, District-Bhojpur.
12. Kartik Parasar, Son of Gopal Pandey, Resident of Mohalla-Bihari Saw Lane, Muradpur, P.S.-Bankipur, District-Patna.
13. Santosh Kumar, Son of Late Ramjee Chaubey, Resident of Mohalla Mirganj, P.S. Ara Town, District-Bhojpur.
14. Alok Ranjan, Son of Sri Om Prakash Bhatt, Resident of Mohalla-Mahajan toil No.1, P.S.-Town Thana, District-Bhojpur.
15. Ashok Kumar, Son of raghomal Prajapati, Resident of Village-+ P.O. Chitari, P.S. Kudara, District-Kaimur.
16. Priti Sahay, D/o Sri Nandan Sahay, Resident of Mohall-Pachhimi Tola, P.S. +P.O. Nawada Thana, District Bhojpur.
17. Neelam Kumari Srivastava, D/o Sri Kameshwar Prasad, Resident of Nagina Kunj, Maula Bagh, Ara. P.S. Nawada Thana. District-Bhojpur.
18. Nisha Kumari, D/o Rabindra Kumar Sinha, Resident of Mohalla-Gandhi Nagar, Katira, P.O. Nawada, P.S. Nawada Thana, District-Bhojpur.
19. Jwala Pratap Singh, Son of Dhanushdhari Singh, Resident of Village + P.O. Hariharpur, P.S. Mohaniya, District Kaimur,
20. Abinash Singh, Son of Kapilmuni Singh, Resident of Village + P.O. Nevarsa, P.S. Mohaniya, District-Kaimur.
21. Santosh Kumar Singh, D/o Surendra Singh, Resident of Village-Jalpura, P.S. Koilwar, District Bhojpur.



22. Abhimanyu Kumar Singh, Son of Sri Sampat Singh, Resident of Village + P.O. Andhari, P.S. Sahar, District Bhojpur.
23. Ashok Kumar, Son of Kusheshwar Yadav, Resident of Village + P.O. Salakhua, P.S. Town Thana, District Saharsa.
24. Ajay Kumar, Son of Ram Kripal Singh, Resident of Village-Madarina, P.O. Lilari, P.S. Charpokhari, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Primary Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Department, Government of Bihar, Patna.
3. The Regional Deputy Director of education, Bhojpur Division, Ara.
4. The District Magistrate, Bhojpur at Ara.
5. The District Education Officer, Bhojpur at Ara.
6. The District Programme Officer, (Establishment), Bhojpur at Ara.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava, advocate
Mr. Satish Kumar Sinha, advocate
For the Respondent/s : Mr. S.K. Ranjan -GP17

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-02-2018 Heard learned counsel for the petitioners and the counsel appearing on behalf of the State.

In the matter of payment of salary, respondents are required to examine the legality and validity of the appointment and also inquire whether the petitioners have worked during the period for which they are claiming salary. The factual enquiry is to be made by the respondents as they are custodian of the relevant record.

In view of the above, the writ petition is disposed of with liberty to the petitioners to file exhaustive representation including the relevant documents in support of their claim as to



the validity of their appointment and the document indicating that they have worked during the period, they are claiming salary.

On filing of such representation, the District Programme Officer (Establishment),Bhojpur at Ara will enquire into the matter and after verification of the record, if the District Programme Officer (Establishment),Bhojpur at Ara is satisfied as to the legality and validity of the appointment and the fact that the petitioners have worked, he shall pass appropriate order within a period of within a period of one month from the date of filing of such representation. Such exercise must be completed within a further period of two months.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

U			
---	--	--	--

