

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8641 of 2018

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Sanjay Kumar Shukla, Son of late Dwarka Nath Shukla, resident of Nayamat Guriwan (Luathahan), P.O.- Semaria, P.S.- Kateya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Gopalganj.
2. The District Magistrate, Gopalganj.
3. District Programme Officer (Establishment) Gopalganj
4. The Block Development Officer-cum-Secretary, Prakhanda Employment Committee, Panchdeori, Gopalganj.
5. The Block Education Officer, Panchdeori, Gopalganj.
6. The Headmaster, Upgraded Middle School, Bagahawa, Panchdeori, Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate

For the Respondent/s : Mr. S.C. MISHRA, SC16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 11-05-2018

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

2. The grievance of the petitioner in the present
application is non-payment of salary for the period 01.05.2017 to
08.05.2017 and from 01.06.2017 till date.

3. Petitioner's claim to be validly appointed as
Teacher and regularly working.

4. In the matter of payment of salary, the respondents
are required to inquire into the factual issue whether the appointment
of the petitioner is valid and whether the petitioner has actually
worked for the period, he is claiming for payment of salary. Both the



factual aspect of enquiry is to be done by the respondents as they are the custodian of the relevant record, as the validity of the appointment and the issue whether the petitioner has actually worked for the period, petitioner is claiming salary.

5. In view of the above, the writ application is disposed of with a direction to the respondent District Programme Officer (Establishment) Gopalganj to verify the record and if it is found on verification of the record that appointment of the petitioner is genuine and petitioner has actually worked for the period, he is claiming salary, the respondent District Programme Officer (Establishment), Gopalganj is required to ensure payment of arrears of salary as well as current salary.

6. Entire exercise in this regard must be completed by the respondent within a maximum period of sixty days from the date of receipt/production of a copy of this order.

7. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.05.2018
Transmission Date	

