

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7536 of 2017

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1. Kusum Kumari, D/o- Girija Prasad Chourasiya, Resident of Village- Godasara, P.S.- Ramgarh, District- Kaimur (Bhabhua). Presently posted as Panchayat Teacher in Primary School- Guruda, Panchayat- Panchpokhari, Block- Kudara, District- Kaimur.
 2. Sunita Tiwari, D/o- Ram Nagina Pandey, Resident of Village- Nonar, P.S. and Block- Ramgarh, District- Kaimur (Bhabhua). Presently posted as Panchayat Teacher in Primary School- Guruda, Panchayat- Panchpokhari, Block- Kudara, District- Kaimur.
 3. Parmod Kumar Yadav, S/o- Lalan Singh, Resident of Village- Kurai, Block- Mohaniya, District- Kaimur (Bhabhua). Presently posted as Panchayat Teacher in Primary School- Chandui, Panchayat- Panchpokhari Block- Kudara, District- Kaimur (Bhabhua).
 4. Deepa Kumari, D/o- Sudama Paswan, Resident of Village- Piyan, P.S.- Sonhar, District- Kaimur (Bhabhua). Presently posted as Panchayat Teacher in Primary School Chanavarav, Panchayat- Panchpokhari, Block- Kudara, District- Kaimur (Bhabhua).
 5. Abhay Kumar Singh, S/o- Paras Singh, Resident of Village- Kurai, P.S.- Mohaniya, District- Kaimur (Bhabhua). At present posted as Panchayat teacher in Primary School- Chandui, Panchayat- Panchpokhari, Block- Kudara, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Primary Education, H.R.D., Patna, Bihar.
3. The District Magistrate, Kaimur, (Bhabhua).
4. The District Education Officer, Kaimur (Bhabhua).
5. The District Program Officer (Establishment), District- Kaimur (Bhabhua).
6. The Block Education Officer, Block- Kudara, District- Kaimur (Bhabhua).
7. The Block Development Officer, Block- Kudara, District- Kaimur (Bhabhua).
null
8. The Panchayat Secretary, Gram Panchayat Raj Panchpokhari, Block- Kudara, District- Kaimur (Bhabhua).
9. The Mukhiya, Gram Panchayat Raj Panchpokhari, Block- Kudara, District- Kaimur (Bhabhua).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Shankar Choubey, Advocate
For the Respondent/s : Mr. Kameshwar Kumar-GP-17

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER



3 11-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners have filed the present writ petition for a direction to the respondents to pay salary to them.

In the counter affidavit, the District Programme Officer has, in paragraphs 4 to 7, made following statements:

“4. That it is relevant to mention here earlier also similar cases were filed by the several other writ petitions in which the district authorities decided to ensure compliance of the orders/judgments passed by District Teachers Appellate Tribunal, Kaimur in toto since orders passed by Tribunal have attained finality and are still having force of law.

5. That since in pursuant to order of the Tribunal petitioner were allowed to work but their salaries were not given by the authorities.

6. That since this matter is similar to those cases and hence vide order dated 3/1/2018 vide letter no. 02/Establishment, D.P.O. (Establishment) Kaimur has directed concerned Block Education Officer Mahania to comply the orders and to send absentees of the respective petitioners so that payments could be made. True copy of letter no. 02 (Estab) dated 3.1.2018 is annexed herewith and marked as Annexure-A to this counter affidavit.

7. That deponent who has recently joined as District Programme Officer (Establishment) Kaimur, has also decided to pay the salaries of



respective teachers in terms with earlier direction of District Magistrate as all the petitioners are rendering services in pursuant to direction of the Tribunal, still orders are in force and are being not unsettled by any Court of law.”

In view of the stand of the respondent-District Programme Officer, Kaimur, the writ petition is disposed of with a direction to the District Programme Officer, Kaimur to ensure payment of salary – arrears as well as current- to the petitioners within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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