

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15354 of 2014

-
1. Sunil Kumar Verma S/o Sri Chandraketu Prasad Verma Presently residing at Mohalla Mahavir Nagar Mathia Dih, Dhaka Road, P.S. Chhatauni, Motihari, District East Champaran.
 2. Shyam Sundar Rai S/o Late Daroga Rai Resident of Mohallah Mathia Dih, Dhaka Road, P.S. Chhatauni, Motihari, District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director (Primary Education), Bihar, Patna.
2. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
3. The District Education Officer, West Champaran.
4. The Headmaster, Government Basic School, Majharia, West Champaran.
5. The Headmaster, Government Basic School, Manpur Mathia, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bishnu Kant Dubey, Advocate Mr. Dilip Kumar Tiwari, Advocate Mr. Lalmani Sharma, Advocate
For the State	:	Mr. Harish Kumar, GP-8

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 06-08-2018

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

2. The grievance of the petitioners in the present writ petition is non-payment of salary for the period the petitioners have worked.

3. On behalf of the respondents, Mr. Harish Kumar, Advocate submits that the petitioners were terminated on account of the fact that the appointments of the petitioners were held to be void ab initio.



4. Learned counsel for the petitioners submits that petitioners have not been paid salary for the period prior to the date of declaration of their appointment as void ab initio but for the said period others have been paid salary.

5. If similarly circumstanced others have been paid salary for the period prior to declaration of the appointment as void ab initio, the respondents may consider the case of the petitioners in the light of the 2011 litigation policy and their own decision to extend benefit of payment of salary to similarly circumstanced others and pass appropriate order within a maximum period of four months from the date of receipt/production of a copy of this order.

6. With the aforesaid, the writ petition stands disposed of.

spandey/-

(Anil Kumar Upadhyay, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.08.2018
Transmission Date	

