

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18759 of 2016

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Balram Thakur Son of Nathuni Thakur Resident of Village- Bishanpur, Post Office Arah, Police Station- Bihra, District- Saharsa, Headmaster Primary School Laxminia Santpur, Police Station- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Secretary, Department of Education, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Commissioner, Koshi Division, Saharsa.
6. The District Magistrate, Saharsa.
7. The Regional Deputy Director of Education, Saharsa.
8. The District Programme Officer, Establishment, Saharsa.
9. The Block Education Officer, Sattar Kataiya, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate
For the Respondent/s : Mr. Prabhat Ranjan Singh, AC to AAG15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 12-02-2018

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

In view of the nature of controversy involved in the present writ petition, no positive direction can be issued to the respondents for payment of salary to the petitioner.

However, liberty shall be available to the petitioner to file representation before the respondent-District Programme Officer (Establishment), Saharsa, who shall look into the grievance of the petitioner and also consider the undertaking of the petitioner as contained in para-11 to the writ petition and Annexure-4 to the



writ petition. The petitioner is also ready to give further undertaking before the respondent-District Programme Officer for adjustment of the amount received by the petitioner in connection with construction after adjustment of the amount used for construction from the salary by fixing instalments.

The respondent-authorities will examine the undertaking and pass appropriate order within a maximum period of 60 days from the date of receipt/production of a copy of this order.

It is needless to say that if the petitioner completes the work then the measurement should be done in accordance with law while deciding the liability of the petitioner.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.02.2018
Transmission Date	

