

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8076 of 2016

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Dinesh Kumar Sah, S/o Sri Ram Lakhan Sah, Resident of- Mahendraganj,
P.O. + P.S.- Mansur Chak, District- Begusarai at present posted as Assistant
Teacher, Middle School, Kamat, Kishunganj, under Block Chhatapur,
District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Govt. of Bihar,
Vikash Bhawan, Patna
3. The Director, Primary Education, Department of Education, Vikash
Bhawan, Govt. of Bihar, Patna
4. The District Education Officer, Supaul
5. The Block Education Officer, Chhatapur, Supaul
6. The Head Master, Middle School, Kamat, Kishunganj, Block
Chhatapur, District- Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishnu Kant Dubey, Advocate

Mr. Arun Kumar Singh, Advocate

For the Respondent/s : Smt. Shilpa Keshri, AC to AAG-10

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 05-02-2018

Heard learned counsel for the petitioner and State.

The grievance of the petitioner in the present writ application is non-payment of salary, despite petitioner's appointment is legal and valid and the petitioner is continuously working till the filing of this writ application.

In the present writ application, despite the fact that two advance copies of the writ application was served to the office of learned Advocate General on 13.04.2016.

Under the aforesaid circumstance, the writ



application is disposed of with a direction to the respondents to examine the claim of the petitioner is found valid and legal and if the petitioner has worked after verification of the record and pass appropriate order and decide the claim and entitlement of the petitioner for payment of salary. Such exercise must be completed within 60 days from the date of receipt/production of a copy of this order.

It is made clear that this Court has not expressed any opinion on the merit of the case and it shall be the responsibility of the respondents to examine the claim of the petitioner and as to the entitlement of the petitioner including the validity of the appointment and the claim as to the fact that the petitioner has worked during the period in question.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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