

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19426 of 2016

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Nutan Kumari, daughter of Satish Prasad, Resident of village - Chandi, P.S.
Chandi, District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department,
Government of Bihar, Patna
3. The Director, Primary Education, Government of Bihar, Patna
4. The District Magistrate, Nalanda
5. The District Education Officer, Nalanda
6. The District Establishment officer, (Est.), Nalanda
7. The Block Education Extension Officer, Tharthari, Nalanda
8. The Mukhiya, Gram Panchayat, Tharthari, Nalanda
9. The Panchayat Secretary, Gram Panchayat, Tharthari, Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Prakash Verma, Advocate
		Ms. Shalini, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha-GP27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-02-2018 Heard learned counsel for the petitioner and the counsel
appearing on behalf of the State.

The writ petition was filed with two advance copies to the
office of Advocate General on 2.12.2016 but unfortunately no
counter affidavit was filed in the present case.

The grievance of the petitioner in the present writ
application is that his salary was not paid since 2012 and even
order of the District Teachers Employment Appellate Authority,
Nalanda dated 9.10.2015 for payment of salary has proved
illusory as the respondents have not carried out the order of



the Appellate Authority in Appeal No. 309 of 2010.

Under the aforesaid circumstances, instead of keeping the matter pending, the writ petition is disposed of with direction to the respondent no.6 the District Education Officer, Nalanda to ensure compliance of the direction of the Appellate Authority within a maximum period of one month from the date of receipt /production of a copy of this order particularly in view of the fact that out of three similarly circumstanced teachers, respondents have made payments of two excluding the petitioner without rationale justification.

In the event of non-payment of salary within the time prescribed by the court, the arrears will carry interest at the rate of 9 per cent per annum from the date of accrual to the date of actual payment and it shall be borne out from the pocket of erring Officers for whose lapses the petitioner remain without salary even after order of the Appellate Authority, the District Education Officer is required to fix accountability and realize interest from the erring Officers.

(Anil Kumar Upadhyay, J)

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