

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24466 of 2013

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Gangotri Kumari Wife Of Late Rajendra Prasad Rai Resident Of Village And
P.O. - Jamuaon, P.S. - Piro, District – Bhojpur Petitioner/s

Versus

1. The State Of Bihar Through The Secretary, Education Department,
Government Of Bihar, Patna
 2. The Director, Primary Education, Bihar, Patna
 3. The Regional Deputy Director Of Education, Patna Pramandal, Patna
 4. The District Superintendent Of Education/District Education Officer, Bhojpur
At Arrah
 5. The Area Education Officer, Piro, Bhojpur
 6. The Headmaster, Middle School, Jamuaon, Piro, Bhojpur
 7. The Headmaster, Boys Middle School, Hassan Bazar, Piro, Bhojpur
... .. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Om Prakash Singh

For the Respondent/s : Mr. Madhukar Krishna Sinha Sc1

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 31-07-2018 The grievance of the petitioner in the present writ

application is non-payment of salary for the period from

17.08.2009 to 25.02.2010.

Learned counsel for the petitioner submits that in

the earlier round of proceeding, the matter was taken up to the

Division Bench whereby LPA Court has granted opportunity to

the appellant to join the transferred post vide order dated 3.2.2010

in LPA No. 1547 of 2009.

In C.W.J.C. No. 3421 of 2012 while disposing of the

said writ petition vide order dated 14.8.2012 liberty was granted

to the petitioner to raise the issue of arrears of salary in

appropriate proceeding including in the writ petition.

This petition was filed on 6.12.2013 with two

advance copies to the office Advocate General but till date no



counter affidavit has been filed on behalf of the respondents.

In the aforesaid circumstances, the District Education Officer, Bhojpur is hereby directed to examine the claim of the petitioner and pass appropriate order with regard to payment of arrears of salary for the period 17.08.2009 to 25.02.2010 and also dispose of the representation filed on behalf the petitioner contained in Annexure-4 by a reasoned and speaking order.

In the event, petitioner's claim is found justified, the respondents shall ensure payment of arrears for the aforesaid period within a maximum period of four months from the date of receipt/production of a copy of this order.

In the event, the claim of the petitioner is not found justified by the respondent, the District Education Officer, Bhojpur may pass reasoned speaking order within the aforesaid period of four months. The District Education Officer is also required to examine the claim of the petitioner for other consequential benefits in the nature of GPF and GIC.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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