

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23698 of 2012

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Rahmat Jahan, Wife of Md. Gufran Ahmad, Resident of Village- Dhaiharna P.S.
Rajoun, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Education Department, Govt. of Bihar, Patna
2. The Director, Primary Education, Bihar, Patna
3. The District Education Officer, Banka
4. The District Programme Officer (Estt.) Education Deptt., Banka
5. The B.D.O., Rajoun
6. Mukhiya, Gram Panchayat, Dahiharra Mahghna Rajoun Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Respondent/s : Mrs. Kumari Amrita, GP10

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 31-07-2018

Heard learned counsel for the petitioner and State.

2. The grievance of the petitioner in the instant writ application is non-payment of salary, despite adjudication by the District Teachers Employment Appellate Authority, Banka in Case No. 848/14.12.09 dated 22.04.2010.

3. Learned counsel for the petitioner submits that once the Appellate Authority, Banka has decided the appeal in favour of the petitioner, the respondent authorities are obliged to ensure payment of salary to the petitioner for the period November, 2008 to May, 2010. The decision of the Appellate Authority, Banka is binding on the authority and they cannot seat in appeal and ignore the



direction issued by the Appellate Authority.

4. In view of the above, the respondents are directed to strictly act in accordance with law the order passed by the Appellate Authority, Banka in Case No. 848/14.12.09 dated 22.04.2010 and ensure payment of arrears of salary to the petitioner within a period of four months from the date of receipt/production of a copy of this order.

5. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.08.2018
Transmission Date	

