

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16981 of 2014

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Ram Sudish Sudhanshu, Son of Late Sone Lal Rai, Resident of Khadiyahi,
P.S.- Bibhutipur, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar , through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Samastipur.
5. The District Programme Officer, Samastipur.
6. The Block Education Officer, Block Sidhiya, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeet Kumar, Advocate Mr. Raj Kamal, Advocate
For the Respondent/s	:	Mr. Kumari Amrita, GP-10

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-08-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The counsel at the first instance submits that the grievance as to payment of subsistence allowance is concerned, has is become infructuous as the petitioner was paid subsistence allowance for the period of 31.08.2012 to 12.04.2013.

The other grievance of the petitioner is non payment of salary. The matter of payment of salary depends on factual enquiry as to the validity of the appointment and the fact whether the petitioner has actually worked or not? Factual enquiry has to be done by the respondent District Programme



Officer, Samastipur by verification of the record.

In view of the above, the writ petition is disposed of with a direction to the District Programme Officer, Samastipur to verify the record to ascertain whether the appointment of the petitioner is valid and whether petitioner has actually worked during the aforesaid period? If it is found that the appointment of the petitioner is legal and valid and petitioner has actually worked then the District Programme Officer, Samastipur shall see that petitioner must be paid within 2 months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Banti/- T.Kr.

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