

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22045 of 2011

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1. Md.Zayeem Akhtar, Son of Late Mahfoozur Rahman, Resident of Village Sangara, P.S. Plasi, District- Araria, At Present Science Teacher, Madarsa Zikrulullom Idrisia Sangara, P.S. Palasi, District Araria.
 2. Abdul Khaliq, Son of Md. Hassan, Resident of Village Sisona, P.S. Araria, District Araria, At Present Science Teacher, Madarsa Shamsulullam Sisona Gaiyari, Araria.
 3. Md. Mozabir Alam, Son of Md. Mansur Alam, Resident of Village Gayari, P.S. Araria, District Araria At Present Science Teacher, Madarsa Islamia Gaiyari, P.S. And District Araria.
 4. Md. Quamruzzaman, Son of Late Noorul Hussain, Resident of Village Bhargama, P.S. Araria, District Araria At Present Science Teacher, Madarsa Ishlamia Bharmara, P.O. Talbari, P.S. Amour, Dist Purnea.
 5. Abdul Matin, Son of Abdul Moyeed, Resident of Village Kabbaiya, P.O. Dalmalpur, P.S. Rauta, District Purnea At Present Science Teacher, Madarsa Darul Athar Mahandi Nagar, Kabbaiya, P.O. Dalmalpur, P.S. Amour, District Purnea.
 6. Md. Safaat Alam, Son of Md. Yasin, Resident of Vill. Chennai, P.O. Chennai, Daria, P.S. Rauta, Distt. Purnea At Present Science Teacher, Madarsa Khalilia Mahrakol, P.O. Talbari, P.S. Baisi, District Purnea.
 7. Md. Naushad Alam, Son of Md. Jamiluddin, Resident of Village Sorha, P.O. Kharika, P.S. Amour, District Purnea At Present Science Teacher, Madarsa Doria Idgah, P.O. Chennai Doria, P.S. Amour, District Purnea.

.... Petitioner/s

Versus

1. The Union of India Through Secretary Human Resources Development Ministry (Education Department) New Delhi.
2. The State of Bihar through Commissioner Cum-Secretary Human Resources Deptt. Govt. of Bihar, Patna.
3. The Special Director (Secondary Education) Government Of Bihar, Patna.
4. The District Education Officer, Araria, District Araria.
5. The District Education Officer, Purnea, District Purnea.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 4916 of 2012

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1. Md.Rahil Akhtar S/O Md. Nayeemuddin Resident Of Village Rauta P.S. Rauta (Amour District Purnea At Present Science Teacher Madarsa Tanzim- E-Millat, Shishabari, P.O. Mirpur, P.S. And District Purnea.
2. Md. Shamim Akhtar S/O Shamshul Hassan Resident Of Village Bowari, P.S. Dagarua, District Purnea At Present Science Teacher, Madarsa Islamia Ullom At Jeyagachhi, P.O. Kanharia Madarsa No. 1227, P.S. Baisi, District Purnea.
3. Md. Rahan Roshan S/O Md. Roshan Zamir Resident Of Village Kassaria, P.S. Jokihat, District Araria At Present Science Teacher Madarsa Islamia Hubbui Ullom At And P.O. Kassaria, Madarsa No. 372, P.S. Jokihar, District Araria.
4. Md. Shoib Alam S/O Md. Khalilur Rahman Resident Of Village Hatgaon, P.O. Turbi, P.S. Jokihar, District Araria, At Present Science Teacher Madarsa Islamia Miapur, Madarsa No. 409, P.O. Kurji, P.S. Plasi, District Araria.

.... Petitioner/s



Versus

1. The Union of India through Secretary Human Resources Development Ministry (Education Department) New Delhi.
2. The State Of Bihar, Through Commissioner cum Secretary Human Resources Deptt. Govt. Of Bihar, Patna.
3. The Special Director (Secondary Education) Government of Bihar, Patna.
4. The District Education Officer, Araria.
5. The District Education Officer, Purnea.

.... Respondent/s

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Appearance :

(In CWJC No.22045 of 2011)

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate

For the Respondent/s : Mr. Prashant Pratap, GP-6

(In CWJC No.4916 of 2012)

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Respondent/s : Mr. Manikant Mishra, GP25

For the U.O.I. : Ms. Kanak Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 25-06-2018

Heard learned counsel for the petitioners and the respondents.

Petitioners in both the writ applications have claimed that they were appointed under the scheme sponsored by the Central Government. Learned counsel submits that although petitioners are working, but they have not been paid salary till date.

Learned counsel for the Board submits that the fund received from the Central Government has already been allocated to the concerned District for payment of salary/honorarium.

Learned counsel for the respondents submits that if the petitioners have any grievance, they may agitate before the appropriate authority in the district, so that the claim of the petitioner



can be adjudicated by the District Education Officer.

In view of the above, the petitioners may file representations before the District Education Officer, Araria / Purnea, who may look into the grievance of the petitioners and if it is found that the petitioners have been appointed under the scheme sponsored by the Central Government, step should be taken for payment of arrears of salary to the petitioners. Final decision in this regard must be taken by the respondent District Education Officer, Araria / Purnea within a period of three months from the date of filing of such representation along with a copy of this order.

It is made clear that the respondent District Education Officer, Araria / Purnea on receipt of fund in connection with payment of salary/honorarium to the petitioners and other engaged in furtherance of the Central Government sponsored scheme be paid in accordance with the norms/guideline for payment of salary/honorarium.

With the aforesaid, both the writ applications stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.07.2018
Transmission Date	

