

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.67 of 2014

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MD. IBRAHIM SON OF EELLAHI BUX RESIDENT OF VILLAGE -
PAHARPUR, P.S. NAUHATTA, DISTRICT - SAHARSA

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government Of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate Saharsa
5. The District Education Officer Saharsa
6. The Program (Sthapana) Officer Saharsa
7. The Block Education And Extension Officer, Anchal Maheshi, District -
Saharsa

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary
For the Respondent/s : Mr. Ram Pravesh Nath Tiwari, AC to SC-25

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 18-07-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

The issue involved in the present writ application is non-payment of arrears of salary. Learned counsel for the petitioner submit that the petitioner was validly appointed and regularly worked in the school in question but Headmaster of the said school reported that at present no teacher named Md.



Ibrahim is serving in this school. He submit that Headmaster has compelled the petitioner to mark attendance in separate sheet of the original attendance registered maintained by the teachers of the school.

Under the aforesaid circumstance, the dispute to the effect that petitioner is still working in school in question or not the Court cannot pass any positive order.

However, in view of the averment made in the writ petition and the document enclosed. The writ petition is disposed of with a direction to the respondent District Programme Officer Establishment, Saharsa to verify the record to ascertain whether the appointment of the petitioner is legal or not and also verify the record including the document enclosed as Annexure-12 to the writ application to ascertain whether the petitioner has actually work in school in question, after enquiry into the issue whether petitioner has actually work or not the respondent District Programme Officer Establishment, Saharsa will take final decision and ensure payment, if the petitioner is found to have work actually and he was not paid salary the respondent is obliged to ensure payment with all consequential benefits within a maximum period of four months after 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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