

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4306 of 2017

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Md. Abdus Shakoor son of Late Haji Sirajuddin resident of village Bahsa P.S.
Mansahi, District Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Govt. of Bihar, Patna.
2. District Magistrate, Katihar.
3. The District Superintendent of Education cum Coordinator Programme Officer, Katihar.
4. The Block Development Officer, Mansahi Katihar.
5. The Block Education Extension Officer, Pranpur West Katihar.
6. The District Programme Officer Establishment, Katihar.
7. The Mukhiya Gram Panchayat Raj Kuraitha, P.S. Mansahi, Katihar.
8. The Panchayat Secretary Gram Panchayat Raj Kuraitha, P.S. Mansahi, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Respondent/s : Mr. Smt. Binita Singh-SC-28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 01-05-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ
petition is non-consideration of his case for payment of salary
despite the fact that the petitioner is regularly working. The
petitioner claims that he has been validly appointed on 28/2/2007
and received salary up to 6.9.2013 but thereafter the respondents
have not paid salary to the petitioner.

The issue with regard to payment of salary requires
verification of record to ascertain whether the petitioner is validly



appointed or not and whether he has worked during the relevant period for which the petitioner is claiming salary. These two factual aspects are to be enquired into by the respondents.

Accordingly, the respondent-District Programme Officer is directed to examine the relevant records in the light of the order dated 10.4.2012 passed in CWJC No. 19995 of 2011 and the order dated 31.3.2011 passed in CWJC No. 17811 of 2008. These two judgments are indicative of the fact that the petitioner's appointment was legal and valid. The respondents are required to complete the entire exercise within a period of 60 days from the date of receipt/production of a copy of this order and ensure payment of salary within the time frame indicated hereinabove.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

AFR/NAFR	NAFR
CAV DATE	NA
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