

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15295 of 2017

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1. Zaki Anwar Son of late Anwarul Haqueq Resident of Village- Dehti, P.S. Palasi, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director Primary Education, Govt. of Bihar, New secretariat, Patna.
3. The District Magistrate, Araria.,
4. The District Superintendent of Education Cum Sub-Divisional Education Officer, Araria.
5. The District Superintendent of Education Cum Sub- Division.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bibhuti Narayan

For the Respondent/s : Mr. Kumar Kamal Nayan, AC to SC-28

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The instant writ petition has been filed by the petitioner with grievance that respondents are not making payment of arrears and current salary despite order passed by the Regional Deputy Direction (Education) Purnea. The Respondent- District Education Officer, Araria even after the order as contained in Memo No. 204 dated 12-04-2017 as well as Memo No. 1299 dated 16-05-2017, in which, there is specific direction to the District Education Officer to examine the claim of the petitioner for payment of arrears and current salary and submit a report on the action taken by the



District Education Officer, Araria within a week.

Approximately ten months have passed and since then, neither the grievance of the petitioner was redressed nor any decision was taken by the respondent (District Education Officer, Araria).

In view of the aforesaid, this writ petition stands disposed of with a direction to the District Education Officer, Araria to take final decision with regard to claim of the petitioner for payment of arrears and current salary within a maximum period of 60 days from the date of receipt/production of copy of the order.

In case the petitioner is found entitle to payment of salary after verification of the claim of the petitioner, necessary order in this regard will be passed by the District Education Officer, Araria within a maximum period of 60 days from the date of receipt/production of copy of the order. The consequential monetary benefit may be extended within a further period of one month from the date of decision. In case the claim of the petitioner is found non-sustainable, the respondent will pass specific order indicating the reason for non-payment of salary to the petitioner for the period as prayed for in the present writ application.

It is made clear that this court has not expressed any



opinion on the merit of the case and if the petitioner approaches the authorities, the respondent will examine the claim of the petitioner in the light of Policy Decision of 30-06-1993.

With the aforesaid observation, this writ petition is disposed of.

(Anil Kumar Upadhyay, J)

A.K.V./-

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