

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5614 of 2016

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Shambhu Nath Verma, S/o Late Mukti Nath working as an Assistant Teacher in Upgraded Middle School, Sandiha, Anchal Vijaipur, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Primary Education, Govt. of Bihar, Patna
3. The Regional Deputy Director of Education, Saran Division, Chapra.
4. The District Magistrate, Gopalganj.
5. The District Education Officer, Gopalganj.
6. The District Programme Officer (Establishment), Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
Mr. Shyama Kant Singh, Advocate

For the Respondent/s : Mr. Anuj Kumar, AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 10-04-2018

Heard learned counsel for the petitioner and State.

2. The grievance of the petitioner in the present writ application for non-payment of honorarium to the petitioner.

3. Learned counsel for the petitioner submits that the respondents are discriminating the petitioner in the matter of payment.

4. On behalf of the State, a counter affidavit has been filed wherein the following stand has been taken in para 6 and 11, which is quoted herein below:

6. That as regards mode of payment of salary to the teachers are concerned, it is submitted that authorities are following the traditions which is



being continuing since long.

Since, petitioners are working in upgraded Middle School, hence their salary are being paid from the fund allotted by the Central Government under Sarva Shiksha Abhiyan and after receiving the fund, they are being paid through cheques.

11. That as regards statement made in Paragraph no. 11 to 14 it is submitted that authorities never dis-criminated these teachers with others as regards payment of salary is concerned, and soon after receiving the aid from Central Government, they are being paid without any delay.

5. In view of the stand taken by the respondents in para 6 and 11 of the counter affidavit, the Court does not find any merit in the claim of the petitioner that he has discriminated. In the counter affidavit, stand has been taken that as soon as funds are received from the Central Government, the State authority will take steps for distribution of the same, so that the petitioner and others are being paid without any delay.

6. Accordingly, the writ application is disposed of with observation that on receipt of the fund from the Central Government, the State authority will ensure payment of all the lawful dues of the petitioner within a maximum period of 30 days from the date of receipt of fund by the State authority.



7. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.04.2018
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