

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15822 of 2012

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Arvind Kumar Sharma, S/O Late Ishwar Das, Resident of Village - Dumaria, P.O. Chandpur, P.S Kursela, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Human Resources Department, Govt. of Bihar, New Secretariat, Patna
2. District Education Officer, Katihar
3. The Block Education Officer, Sameli, District - Katihar
4. The Panchayat Secretary, Panchayat Employment Unit, Gram Panchayat Raj, Dumra, Malara, Chhohar, Khaira, Chakla Khaira, Chvanpur Purvi And Paschami And Muradpur, Prakhand Sameli, District - Katihar
5. Mukhiya, Gram Panchayat Raj Dumar, Prakhand - Sameli, District - Katihar
6. District Programme Officer (Establishment), Katihar, District- Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Respondent/s : Mr. Sanjay Kumar, AC to GA-13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 31-07-2018

Learned counsel for the petitioner is permitted to implead the District Programme Officer (Establishment), Katihar as party respondent no.6 during course of the day.

2. Heard learned counsel for the petitioner and State.

3. The grievance of the petitioner in the instant writ application is non-payment of salary.

4. The issue of payment of salary requires verification of the record as to the validity of the appointment of the petitioner and the fact whether the petitioner has actually worked for the period, he is claiming salary. The aforesaid factual enquiry is to be done by the



District Programme Officer (Establishment), Katihar.

5. In view of the above, the writ application is disposed of with a direction to the respondent District Programme Officer (Establishment), Katihar to enquire into the validity and legality of the appointment of the petitioner and if it is found that the petitioner's appointment is valid and legal, he shall ensure payment of the salary for the period the petitioner has actually worked.

6. Final decision in this regard must be taken by the respondent District Programme Officer (Establishment), Katihar within a period of four months from the date of receipt/production of a copy of this order

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	

