

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23247 of 2012

=====

Krishna Murari Choubey Son Of Sri Nand Kumar Choubey Resident Of
Village Falwaria, P.S. Sheosagar, District - Rohtas

... .. Petitioner/S

Versus

1. The State Of Bihar
2. The Special Director Secondary Education, Bihar Patna
3. The Chairman, Sanskrit Education Board Bihar Patna
4. The Sub Divisional Officer Sasaram Rohtas
5. The District Education Officer Rohtas
6. The Head Master, Rajyakrit Sri Sanatan Dharam Sanskrit High School
Sasaram District Rohtas
7. The Secretary Management Committee Sri Sanatan Dharam Sanskrit High
School Sasaram

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Bajarangi Lal, Advocate
For the Respondent/s	:	Mr. Harish Kumar, GP-8
For Snk. Shiksha Board	:	Mr. S.S. Sundaram, Advocate
		Mr. Shashank Shekhar Jha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 08-08-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State as well as the Sanskrit
Shiksha Board.

2. The present writ petition has been filed by the
petitioner for a direction to the respondents for payment of arrears
of salary from 1.4.1981 to 7.1.2008.

3. Learned counsel for the petitioner referring to
Annexure-1, the order dated 7.12.2007, submits that the Board
after verification of the record and after hearing the parties, held
out that the petitioner is entitled to continue as teacher and also



entitled to payment of salary and in view of the decision as contained in Annexure-1, dated 7.12.2007, it was obligation of the Board to work out the entitlement of the petitioner for payment of salary for the period he was kept out of employment.

4. In the peculiar facts and circumstances, the Court deems it fit and proper to direct the respondents to consider the case of the petitioner for continuity in service from the date of his initial appointment and payment of 40% salary for the period the petitioner was kept out of employment. The payment after calculation of the entitlement at the rate of 40%, shall be worked out by the respondents within a period of four months from the date of receipt/production of a copy of this order and payment should be made to the petitioner within a further period of two months thereafter.

5. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.08.2018
Transmission Date	

