

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7258 of 2016

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Ajay Kumar Mandal, agde about 40 years, S/o Satyadeo Mandal, Assistant Teacher,
U.M.S. Barharakoni, P.S. Marona, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Regional Deputy Director of Education, Koshi Division, Koshi.
3. The District Education Officer, Supaul.
4. The District Programme Officer (Establishment), District- Supaul.
5. The Block Education Officer, Block- Marouna, Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh, Sr. Advocate
Mr. Rajeev Kumar Singh, Advocate
For the Respondent/s : Mr. Arun Kumar Sinha, AC to GP-24

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 16-05-2018

Heard learned counsel for the petitioner and State.

2. The grievance of the petitioner in the present writ application is non-payment of salary on account of the order passed on 06.01.2016.

3. Learned counsel for the petitioner submits that the respondents have arbitrary decided to stop salary in the name of verification of the record.

4. In the matter of payment of salary, the authorities are required to examine the validity of the appointment and the fact whether the petitioner has worked for the period he is claiming salary.



The issue is within the realm of the authorities, but in the name of verification of the record, they cannot keep the matter pending for months together and deny the salary.

5. In the aforesaid circumstances, the writ application is disposed of with a direction to the District Education Officer and District Programme Officer (Establishment), Supaul to verify the record and also cause an enquiry as to the genuineness of the certificate of the petitioner within a maximum period of 60 days from the date of receipt/production of a copy of this order and on verification of the record if it is found that the certificate of the petitioner is genuine and the appointment of the petitioner does not suffer from any impediment, the respondents are required to make payment of the same. The entire exercise in this regard must be completed within the time framed as indicated hereinabove.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.05.2018
Transmission Date	

