

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10575 of 2015

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Md. Kazim Hussain, Son of Abdul Bari, Resident of Village- Mohammadpur
Quaziyana, P.O.+P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Special Director, Secondary Education, Education Department,
Government of Bihar, Patna.
3. The District Education Officer, Darbhanga.
4. The Manager Committe of Madarsa Anisul Ghorba through its President Md.
Sabiullah, Resident of At- Bahera, P.S.- Bahera, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Respondent/s : Md. Kamil Akhtar, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 29-11-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

Petitioner was filed I.A. No. 7861 of 2015 for adding
Madarsa Education Board as party respondent No.5.

On perusal of the Annexure-2, it appears that
petitioner has approached the District Education Officer,
Darbhanga on 6.6.2015 in connection with fixation of pay of the
petitioner and payment thereof but respondent District
Education Officer paid no response. Petitioner was appointed as
Teacher by the Managing Committee of Madarsa Anisul Ghorba
at Bahera, Disrict- Darbhanga and petitioner is regularly
working in the said Madarsa since 21.6.2014. If the appointment



of petitioner was made after following due process of selection against sanction/ vacant post with requisite qualification for the post, it shall be the obligation of the District Education Officer to take appropriate decision with regard to the fixation of salary and the payment thereof. Since the matter is pending on 17.07.2015, the Court directs the respondents to take appropriate decision with regard to claim of the petitioner for pay fixation and payment thereof at the earliest preferably within a period of three months from the date of receipt/ production of a copy of this order by taking speaking and reasoned order.

With the aforesaid the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

T.Kr./-

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