

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3154 of 2018

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1. Birendra Kumar, Son of Anandi Prasad Yadav, Resident of Village- Sishwa, P.O.- Mojampatti, P.S.- Barhara Kothi, District- Purnea.
 2. Nirmal Kumar, Son of Anup Lal Yadav, Resident of Village- Sishwa, P.O.- Mojampatti, P.S.- Barhara Kothi, District- Purnea.
 3. Ajay Kumar, Son of Vidyanand Yadav, Resident of Village- Sishwa, P.O.- Mojampatti, P.S.- Barhara Kothi, District- Purnea.
 4. Raj Kumar Yadav, Son of Fauchai Yadav, Resident of Village- Sishwa, P.O.- Mojampatti, P.S.- Barhara Kothi, District- Purnea.
 5. Amrendra Prasad Yadav, Son of Ballu Prasad Yadav, Resident of Village- Sishwa, P.O.- Mojampatti, P.S.- Barhara Kothi, District- Purnea.
 6. Ramesh Prasad Yadav, Son of Jagdish Prasad Yadav, Resident of Village- Jankinagar, P.O. & P.S.- Jankinagar, District- Purnea.
 7. Vidyanand Yadav, Son of Vindeshwari Prasad Yadav, Resident of Village+P.O. & P.S.- Rupauli, District- Purnea.
 8. Ayodhya Prasad Yadav, Son of Mohan Prasad Yadav, Resident of Village- Batauna, P.O.- Godhaila, P.S. & District- Madhepura.
 9. Upendra Prasad Yadav, Son of Parmeshwari Prasad Yadav, Resident of Village- Harerampur, P.O.- Mirchaibari, P.S.- Jankinagar, Via- Murliganj, District- Purnea.
 10. Kusheshwar Prasad Yadav, Son of Late Ganga Prasad Yadav, Resident of Village- Harerampur, P.O.- Mirchaibari, P.S.- Jankinagar, Via- Murliganj, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. District Magistrate, Purnea.
4. District Education Officer, Purnea.
5. District Programme Officer, Establishment, Purnea.
6. Block Education Officer, Barhara Kothi, Purnea.
7. Block Education Officer, Banmankhi, Purnea.
8. Block Education Officer, Rupauli, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Advocate Mr. Pranav Kumar, Advocate
For the Respondent/s	:	Mr. Madanjit Kumar-GP20

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-03-2018 Heard learned counsel for the petitioners and the counsel



appearing on behalf of the State.

Mr. Y.V. Giri, learned senior counsel appearing on behalf of the petitioners submits that the respondents have arbitrarily stopped the payment of salary without any rhyme and reason. The petitioners are appointees in terms of policy undertaken by the State Government.

Referring to the direction of the Apex Court, he submits that in the name of enquiry, they are not justified in stopping the salary of the petitioners. He has drawn attention of this court to various Annexures to indicate that the training of the petitioners from Chhotanagpur Training College is legal and valid. The petitioners have obtained certificates from the college in 1989.

Without entering into the merit of the case as to the validity of the certificates obtained by the petitioners from Chhotanagpur Training College, the court directs the respondent District Programme Officer (Establishment), Purnea who is making enquiry into the legality and validity of the certificates obtained by the petitioners to take final decision within a period of three months. In the event, the decision is taken in favour of the petitioners, the petitioners would be entitled to payment of entire arrears and current salary expeditiously preferably within a period of sixty days from such decision. In case, any adverse



order is passed, liberty shall be available to the petitioners to assail the same in accordance with law before an appropriate forum.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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