

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6290 of 2018

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1. Malti Chaudhary, Wife of Sri Baidyanath Chaudhary, daughter of Kameshwar Chaudhary, Resident of Village-Behzadi, P.O.-Sahdei Bujurg, P.S. desri, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The District Education Officer, Vaishali, Hajipur.
3. The District Programme Officer, Vaishali, Hajipur.
4. The Block Development Officer Cum Secretary, Block Teachers Selection Committee, Sahdei, Bujurg, District-Vaishali, Hajipur.
5. The Block Education Officer, Sahdei Bujurg Block, District-Vaishali, Hajipur.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.6343 of 2018

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Kumari Manju Gupta

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

with

Civil Writ Jurisdiction Case No.6735 of 2018

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1. Nargis Firdosh, wife of Md. Meraj, daughter of Md. Firoj Ahmad, resident of Village- Ajimabad Colony, P.S.- Sultanganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The District Education Officer, Vaishali, Hajipur.
3. The District Programme Officer, Vaishali, Hajipur.
4. The Block Development Officer cum Secretary, Block Teachers Selection Committee, Sahdei Bujurg, District- Vaishali, Hajipur.
5. The Block Education Officer, Sahdei Bujurg Block, District- Vaishali, Hajipur.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.6999 of 2018

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Poonam Kumari

.... Petitioner/s

Versus



The State of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.7035 of 2018

=====

1. Shaista Parwin, Daughter of Muzaffarpur Hussain, Resident of Village-Baghauni, P.O.- Shahpur Baghauni, P.S. Tajpur, District- Samastipur.

.... Petitioner/s

Versus

- 1. The State of Bihar, through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
- 2. The District Education Officer, Vaishali, Hajipur.
- 3. The District Programme Officer, Vaishali, Hajipur.
- 4. The Block Development Officer cum Secretary, Block Teachers Selection Committee, Sahdei Bujurg, District- Vaishali, Hajipur.
- 5. The Block Education Officer, Sahdei Bujurg Block, District- Vaishali, Hajipur.

.... Respondent/s

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Appearance :

(In CWJC No.6290 of 2018)

For the Petitioner/s : Mr. Rashid Izhar

For the Respondent/s : Mr. Madanjit Kumar- Gp20

(In CWJC No.6343 of 2018)

For the Petitioner/s : Mr. Rashid Izhar

For the Respondent/s : Mr. S.C.Mishra -Sc16

(In CWJC No.6735 of 2018)

For the Petitioner/s : Mr. Rashid Izhar

For the Respondent/s : Mr. Smt. Shilpa Singh -Ga12

Ms. Neetu Ghai, A.C. to G.A.12)

(In CWJC No.6999 of 2018)

For the Petitioner/s : Mr. Rashid Izhar

For the Respondent/s : Mr. A.R. Pandey - Aag-15

(In CWJC No.7035 of 2018)

For the Petitioner/s : Mr. Rashid Izhar

For the Respondent/s : Mr. Smt. Binita Singh-Sc28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

2 20-04-2018 Heard the learned counsel for the petitioner and counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ application is stoppage of salary without any justifiable reason. Learned counsel for



the petitioner submitted that the petitioner was appointed on the post of Block Teacher. In the name of verification, the respondent has stopped salary. Since the verification of certificate is in conclusive stoppage of salary is not justifiable. In CWJC No. 11852 of 2017, this Court has occasioned to consider the counter affidavit filed on behalf of District Programme Officer, Vaishali wherein the specific stand was taken by the respondent District Programme Officer (Establishment) Vaishali that the verification is still incomplete. The Court considering the aforesaid directed the respondent for payment of arrears considering their undertaking dated 17.10.17 wherein it was indicated that the payment should be made subject to the condition that in case it is found that the appointments are irregular, the salary should be recovered with interest.

In the aforesaid circumstance, the Court is inclined to issue same direction to the respondent for making payment of salary to the petitioner with a condition that in case adverse decision is taken by the respondent and appointment is found irregular, the salary paid to the petitioner shall be recovered with interest. The entire exercise with regard to payment of salary must be completed within a maximum period of 60 days from the date of production of a copy of the order.

With the aforesaid, this writ petition stand disposed of.

Sanjeev/-

(Anil Kumar Upadhyay, J)

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