

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6341 of 2018

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Kamod Kumar Thakur, Son of Sri Shiv Chander Thakur, Resident of Village-
Arnia, P.O.- Jandaha, P.S.- Jandaha, 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

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar
For the Respondent/s : Mr. J.K. Roy No. 1- Sc13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-04-2018 Heard learned counsel appearing for the petitioner
and learned counsel appearing on behalf of State.

Petitioner is aggrieved by non -payment of salary.

Counsel for the petitioner submit that the petitioner
had been regularly discharged his duty as trained Teacher
(Physical). He is submitted that the appointment of the
petitioner is legal and valid and the petitioner is regularly
working in the school in question and the respondents arbitrarily
stopped payment of salary of petitioner in the year 2016.

In the matter of payment of salary the respondents are
required to undertake factual inquiry on the point of validity of
appointment of the petitioner and the factual enquiry shall be
taken by the respondents as per the provisions of law. This



factual inquiry has to be done by the respondents District Programme Officer (Establishment) Vaishali.

In view of the above, the respondent District Programme Officer(Establishment) Vaishali is directed to undertake inquiry as to the validity of the appointment of the petitioner and also to verify whether the petitioner has worked for the period he is claiming salary. In case the appointment of the petitioner is found legal and valid and petitioner has worked for the period he is claiming salary, the respondents District Programme Officer (Establishment) would ensure payment of salary to the petitioner positively within a maximum period of 60 days from the date of receipt/production of a copy of this order.

The District Programme Officer is well advised to take care of his own decision contained in Annexure-9 Page-19 of supplementary affidavit vide letter no.1901 dated 17.10.2017 while considering the claim of petitioner.

The writ application is accordingly disposed of.

(Anil Kumar Upadhyay, J)

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