

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10772 of 2017

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1. Nabisa Khatoon, Daughter of Md. Samser, resident of Village- Rupauli, Block Singheshwar, Police Station- Gamhariya, District- Madhepura.
 2. Md. Najir, Son of Md. Asin, resident of Village- Rupauli, Block - Singheshwar, Police Station- Gamhariya, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar, Patna.
2. The Director, Primary Education Department State of Bihar, Patna.
3. The District Education, Officer, Madhepura.
4. The District Programme Officer, (Education), Madhepura.
5. The Mukhiya, Gram Panchayat Rupauli, Block - Singheshwar, District- Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Kumar, Advocate

For the Respondent/s : Mr. Subhash Chandra Mishra- SC16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 28-02-2018

Heard learned counsel for the petitioner and State.

Vide order dated 31.07.2017 six weeks' time was granted to the respondents to file counter affidavit, yet no counter affidavit has been filed on behalf of the respondents.

The present writ application has been filed by the petitioners for a direction to the respondents to pay honorarium to them since 2008.

The petitioners' claim that they are working on the post of Sevak/Sevika regularly in village Rupauli, Ward No.3 under Singheshwar Block in the district of Madhepura.

The matter with regard to payment of honorarium



depends on verification of the records whether the petitioners have been engaged as Sevak/Sevika and whether the petitioners have worked for the period they are claiming salary. These factual aspects are to be enquired into by the respondents from the records available with them.

In view of the above, the District Programme Officer (Education), Madhepura (respondent no.4) is directed to take final decision with regard to verification of the record and if it is found that the petitioners were validly engaged to discharge the responsibilities of Sevak/Sevika and they have rendered their services, necessary orders with regard to payment of honorarium must be passed by the respondents within a maximum period of three months from the date of receipt/production of a copy of this order and if it is found that the petitioners are entitled to monetary benefit, the same should be extended to the petitioners within a further period of one month.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.03.2018
Transmission Date	

