

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13810 of 2015

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Mukul Ranjan Deo, Son of Arun Kumar Deo, Resident of Village - Itahari,
P.S. Fulli Dumar, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Banka
2. The Education officer, Banka
3. District Programme officer, Banka
4. Block Education Extension officer, Fulli Dumar, District Banka
5. Mukhiya, Gram Panchayat Raj, Fulli Dumar, P.S. Fulli Dumar, District Banka
6. Panchayat Sachiv, Gram Panchayat Raj, Fulli Dumar, P.S. Fulli Dumar, District Banka

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mritunjay Prasad Singh, Advocate
For the Respondent/s	:	Mr. Yogendra Pd. Sinha, AAG-7
		Mr. Shankar Kumar, AC to AAG-7

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 29-11-2018

Heard learned counsel for the petitioner and the respondents.

2. The issue with regard to payment of salary requires factual enquiry and also as to the validity of the appointment and whether the petitioner has actually worked for the period petitioner is claiming salary or not?

3. Factual enquiry as to the validity of the appointment can appropriately to be done by the District Programme Officer (Establishment), Banka.

4. Accordingly, the writ application is disposed of with a direction to the District Programme Officer (Establishment),



Banka to verify the record to ascertain whether the appointment of the petitioner is legal and valid and if the appointment of the petitioner on verification is found to be valid, he has to ascertain whether the petitioner has actually worked for which the petitioner is claiming salary.

5. In the event, it is found that the petitioner has actually worked for the period he is claiming salary, the District Programme Officer (Establishment), Banka is under obligation to ensure payment of salary to the petitioner for the period he is claiming salary on the basis of valid appointment within a maximum period of four months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.11.2018
Transmission Date	

