

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14224 of 2009

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Bansidhar Sharma S/O Late Chandrika Singh Vill-Tarwan, P.O- Arap. P.S-
Maubatur, Distt- Patna

... .. Petitioner/S

Versus

1. The State Of Bihar Through The Commissioner/Secretary, Human Resources Development Department, New Secretariate, Patna
2. Director, Secondary Education, Human Resources Development Department, New Secretariate, Patna
3. District Education Officer, Secondary Education, Human Resources Development Department, Patna
4. Mr. Mohan Lal, Principal, Govt. Tribuwan +2 School, Naubatpur, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate
For the State : Mr. Gyan Shankar, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 12-07-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. The present writ petition has been filed by the
petitioner for a direction to the respondents to pay arrears of salary
with effect from 1.4.2007.

3. On behalf of the respondents, with reference to
Annexure-C dated 31.3.2007, argument was advanced that the
services of the petitioner was dispensed with on 31.3.2007 and as
such after 31.3.2007, no salary is payable to the petitioner.

4. In view of Annexure-C dated 31.3.2007, wherefrom
the services of the petitioner was dispensed with, after 31.3.2007



there is no occasion for making payment of salary and the entire claim of the petitioner is totally misconceived.

5. Learned counsel for the petitioner submits that the Principal of the +2 School has allowed the petitioner to work.

6. If the petitioner was used by the Principal of the Institution, the petitioner may have personal cause of action against the Principal, who had engaged him after termination on 31.3.2007 and if law permits, he may approach the appropriate forum or the Court for his grievance against the Principal of the Institution for payment of salary after 31.3.2007.

7. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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