

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19105 of 2014

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Deepak Kumar S/o Late Vidya Sharma Resident of Village Arawa, P.O. Parwalpur, P.S. Nalanda, District Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Welfare Department, Government of Bihar, Patna.
3. The Director, Welfare, Government of Bihar, Patna.
4. The District Magistrate, Rohtas.
5. The District Magistrate, Gaya.
6. The District Magistrate, Jehanabad.
7. The District Welfare Officer, Rohtas.
8. The District Welfare Officer, Gaya.
9. The District Welfare Officer, Jehanabad.
10. The Headmaster, Ambedkar Residential Middle School, Nagatoli, Rohtas at Sasaram.
11. The Headmaster, Ambedkar Residential Middle School, Tapovan, Gaya.
12. Headmaster, Ambedkar Residential Girls High School, Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Sinha, Advocate
For the Respondent/s	:	Mrs. Alka Verma, SC-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 07-08-2018

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

2. The petitioner is aggrieved by inaction on the part of the respondents in not making payment of salary for the month of February, 2008, not settling the issue of EL which the petitioner availed on account of ailment of his mother and for arrears of revised salary of 6th pay revision.

3. Learned counsel appearing on behalf of the petitioner has drawn the attention of the Court towards Annexure-A to the



counter affidavit which indicates that the District Welfare Officer, Rohtas, Sasaram has written letter to the District Welfare Officer, Jehanabad admitting the amount of salary payable to the petitioner for the month of February, 2008. He further refers to Annexure-7 to the writ petition to indicate that respondents have implemented the 6th PRC but that was not paid to the petitioner till date.

4. So far as the other grievance of the petitioner as to annual increment is concerned, it appears from the counter affidavit that the respondents are disputing the entitlement of the petitioner on the ground that the benefit of annual increment is admissible to trained teachers and the petitioner is not trained and as such he is not entitled to payment of annual increment.

5. Under the aforesaid circumstances, the writ petition is disposed of with liberty to the petitioner to file an exhaustive representation before the District Welfare Officer, Gaya who shall examine the claim of the petitioner and if it is found that the petitioner satisfies the eligibility for grant of annual increment, the same may be granted to the petitioner. So far as the adjustment of EL is concerned, the respondents are directed to take immediate steps and decide such claim of the petitioner. The arrears admitted by the respondents must be paid to the petitioner at the earliest. The entire exercise in this regard must be completed within a



period of four months from the date of filing of the representation as these are the issues which require verification of the record.

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

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.08.2018
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