

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21241 of 2013

Sanjay Kumar Son Of Late Deep Narayan Yadav Resident Of Village + P.O. Sukhasan, Police Station - Gwalpara, District - Madhepura, At Present Posted As Panchayat Teacher, New Primary School, Manjhadira Under Gram Panchayat - Govindpur, Block - Falka, District - Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Katihar
3. The District Education Officer, Katihar
4. The District Programme Officer, Establishment, Katihar
5. The S.D.O., Katihar
6. The B.D.O., Falka, Katihar
7. The Block Education Officer, Falka, Katihar
8. The Panchayat Secretary, Gram Panchayat - Govindpur, Block + Police Station - Falka, District - Katihar
9. The Mukhiya, Gram Panchayat - Govindpur, Block + Police Station - Falka, District - Katihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Respondent nos. 8 to 9: Mr. Sanjeev Kumar Singh, Advocate
For the State : Mr. Arvind Kumar Singh, AC to SC-14

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 02-08-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The writ petition was filed on 23.10.2013 with two advance copies to the office of Advocate General but even after expiry of five years the respondents have not chosen to file any counter affidavit.

The grievance of the petitioner in the present writ application is non-payment of salary from 2013 on wards and also for non-payment of part salary from July 2009 to August



2013.

Counsel for the petitioner submits that out of Rs. 2,78,000/- petitioner was paid Rs. 1,26,000/- and remaining amount i.e. Rs. 1,52,000/- has not been paid to the petitioner. He further submits that after August, 2013 the petitioner was not paid further salary.

Considering the fact that respondents have not filed any counter affidavit even after expiry five years, the writ petition is disposed of with direction to the District Programme Officer (Establishment), Katihar to verify the record and on verification of the record, if it is found that Rs. 1,52, 000/-is payable to this petitioner on account of arrears of salary for the period July 2009 to August 2013 he shall ensure payment of the same within a maximum period of four months from the date of receipt/production of a copy of this order.

The respondents are also required to verify the record to ascertain whether the petitioner has actually worked for the period August, 2013 on wards and if it is found that petitioner's appointment is legal and valid and he has actually worked the arrears as well as current salary shall be paid within the time frame indicated hereinabove.

The respondents shall be under obligation to take



coercive steps against the Drawing Disbursing Officer if it is found that he is creating hindrance in the matter of payment of salary to this petitioner.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

U			
---	--	--	--

