

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8296 of 2018

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Usha Devi Wife of Sri Shivendra Prasad Sah R/o Village- Belsar, P.S.
Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Muzaffarpur.
2. The District Magistrate, Muzaffarpur.
3. The District Education Officer, Muzaffarpur.
4. The District Program Officer(Establishment Muzaffarpur).
5. The Block Development Officer-Cum-Member Secretary, Block Teacher Employment Committee, Block-Saraiya, District-Muzaffarpur.
6. Block Education Officer, Saraiya, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Singh, Advocate
For the Respondent/s : Mr. Madanjeet Kumar-GP-20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and the State.

The grievance of the petitioner in the present writ petition is arbitrary stoppage of salary of the petitioner.

Learned counsel for the petitioner submits that the petitioner was paid salary upto 31st of May, 2016 and thereafter without any enquiry, without any show cause and without assigning any reason, the salary of the petitioner has been stopped by the respondents.

The issue of payment of salary requires factual enquiry as to the validity of the appointment and whether the petitioner has actually worked for the period he or she is claiming salary.



In the instant case the petitioner is claiming that she was appointed in accordance with law and she has regularly worked but after 1.6.2016 the salary of the petitioner has been stopped.

In view of the above, the writ petition is disposed of with a direction to the District Programme Officer Establishment, Muzaffarpur to examine the record and on verification if it is found that the appointment of the petitioner is legal and valid and the petitioner has actually worked after 31st of May, 2016, the respondent, District Programme Officer, Establishment, Muzaffarpur is required to ensure payment of salary- current as well as arrears. The entire exercise must be completed by the respondents within a maximum period of 60 days from the date of receipt/production of a copy of the order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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