

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18510 of 2010

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Vidya Sagar Sah S/O Ramashrya Sah R/O Vill.- Bisunpur Bejha, P.S.- Mahua,
Distt.- Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Human Resources Development Department, Bihar,
Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Superintendent Of Education, Vaishali
5. The Block Education And Extension Officer, Hazipur, Vaishali
6. The Mukhiya, Afzalpur Dhobghatti Panchayat, Hazipur, Vaishali
7. The Panchayat Secretary, Afzalpur Dhobghatti Panchayat, Hazipur, Vaishali

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Respondent/s : Mr. (Ga5)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 30-07-2018 Learned counsel for the petitioner has confined his prayer for payment of salary for the period prior to termination of the petitioner.

Learned counsel submits that petitioner has worked but not paid salary prior to the date of termination. If that is so, the respondents are hereby directed to examine whether the petitioner has rendered service prior to termination and whether he was paid salary or not? If it is found that petitioner was not paid salary prior to termination despite rendering service the respondents are required to work out the entitlement of the petitioner for payment of salary for the period prior to



termination as respondents cannot deny salary, in view of the constitution mandate Article 23 of the Constitution of India which prohibits taking work and denying salary as Begary.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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