

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11024 of 2014**

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Raj Kumar Prasad S/o Sri Ram Raut Resident of Village and P.O. Bariyaria,  
P.S. Sangrampur, District East Champaran at Motihari, presently working as  
Nigh Guard in Damari Asharfi High Secondary (+2) School, Sangrampur,  
District East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna..
2. The Principal Secretary, Education Department, Government of Bihar, Patna..
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The District Education Officer, East Champaran at Motihari, District East Champaran at Motihari.
5. The Managing Committee of Damari High Secondary (+2) School, Sangrampur, District East Champaran at Motihari through the Chairman.
6. Smt. Mina Dwivedi W/o Not known to the petitioner.. Presently residing at Flat No. 9, Road No. 4, Daroga Rai Path, Patna.
7. Santosh Kumar Patel S/o Not known to the petitioner. Presently working as Incharge Headmaster, Damari High Secondary (+2) School, Sangrampur, District East Champaran at Motihari.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Chandan  
For the Respondent/s : Mr. Ga11- Partha Sarthy

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

3      31-07-2018                      Heard learned counsel for the petitioner and the  
counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ application is non-payment of honorarium for the period the petitioner has worked as Night Guard.

Learned counsel for the petitioner with reference to Annexure-1 submits that State Government has directed the District Education Officers in connection with engagement of Night Guard in upgraded High School/Secondary School. He



submits that the Principal of the School in question has engaged the petitioner and the petitioner has discharged responsibility as Night Guard but he was not paid salary.

Considering the aforesaid fact, the writ petition is disposed of with direction to the District Education Officer, East Champaran at Motihari to examine the record to ascertain whether the petitioner has discharged responsibility as Night Guard pursuant to Annexure-1 and if that is so, the respondents would be under legal and moral obligation to ensure payment of honorarium to this petitioner in terms of Annexure-1 of the writ petition within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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