

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12274 of 2017

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Naresh Kumar Mehta, Son of Bindeshwari Prasad Mehta, Resident of
Village- Satkodarya, Police Station-K. Nagar, District-Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Human Resources Department, Government of Bihar, New Secretariat, Bailey Road, Patna.
2. The Director, Primary Education, Human Resources Department, New Secretariat, Bailey Road, Patna.
3. The District Magistrate, Purnea.
4. The Deputy Development Commissioner, Purnea.
5. The Regional Deputy Director, Education Purnea.
6. The District Education Officer, Purnea.
7. The District Programme Officer, Purnea.
8. The Block Education Extension Officer, K. Nagar, Purnea.
9. The Block Development Officer, K. Nagar, Purnea.
10. The Panchayat Secretary, Gram Panchayat Satkodarya, K. Nagar, Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukul Prasad, Advocate

For the Respondent/s : Smt. Shilpa Singh -Ga12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 21-02-2018

Heard learned counsel for the petitioner and State.

Learned counsel for the petitioner submits that the petitioner has not been paid salary without any rhyme and reason.

In the matter of payment of salary, the respondents are required to examine only two facts. Firstly; whether the appointment of the incumbent is legal and valid and Secondly; whether the employee claiming salary has worked during the period or not. These two facts are required to be examined by the respondents on verification of the record available.



Instead of keeping the matter pending, the writ application is disposed of with a direction to respondent no. 7, the District Programme Officer (Establishment), Purnea, who shall examine the record and on verification of the record, if respondent no.7 finds that the appointment of the petitioner is valid and legal then necessary order in this regard may be passed. Respondent no.7 is also required to see that legitimate dues in the nature of admitted salary are paid to the petitioner within a maximum period of 60 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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