

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15629 of 2017

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1. Gulab Chandra Singh, son of Late Bhooplal Singh, Resident of Village-Deoka, P.O.- Chautham, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna.
2. The District Magistrate, Khagaria.
3. The District Education Officer, Khagaria.
4. The District Programme Officer (Establishment)-cum- Enquiry Officer, Education Department, District- Khagaria.
5. The Block Education Officer, Alauli Block, District- Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Respondent/s : Mr. J. P. Kishore, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Counsel for the petitioner submits that the petitioner has superannuated. His salary was stopped before superannuation and he was put under suspension on the charge of being absent. Counsel for the petitioner submits that petitioner's suspension was subsequently revoked but the petitioner has not been paid salary for the last three months before superannuation. He submits that after enquiry, respondents came to conclusion that petitioner was really present.



In view of the aforesaid, this writ petition stands disposed of with liberty to the petitioner to approach the respondent-District Education Officer, Khagaria who shall examine the relevant record and pass appropriate order and if it is found that the petitioner was not absent from duty, necessary order for payment of salary as well as post retrial dues to the petitioner for which, he is entitled, may be passed within a maximum period of 60 days from the date of receipt/production of copy of the order.

In case the petitioner is found entitle to payment of salary after verification of the claim of the petitioner, not only necessary order in this regard will be passed by the District Education Officer, Araria within a maximum period of four months from the date of receipt/production of copy of the order but the District Education Officer is also required to see that monetary benefit must reach the petitioner within the same time.

It is made clear that this court has not expressed any opinion on the merit of the case and if the petitioner approaches the authorities, the respondent will examine the relevant record and pass necessary order in this regard and take final decision and for payment of arrears within a time frame.

In view of the aforesaid, this writ petition stands



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With the aforesaid observation, this writ petition is disposed of.

(Anil Kumar Upadhyay, J)

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