

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2237 of 2018

Vibhuti Nath Jha, S/o Late Kanj Nath Jha, Resident of Village & P.O.- Deep,
Via- Jhanjharpur, P.S.- Madhepur, District- Madhubani (Bihar). at present
Assistant Teacher (Aacharya) Deodhira Sanskrit Uchcha Vidyalaya, Deep,
Madhubani, District- Madhubani (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Secondary Education (Human Resources), Govt. of Bihar, Patna.
2. The Special Director, Secondary Education (Human Resources), Govt. of Bihar, Patna.
3. The District Education Officer (D.E.O.), Madhubani.
4. The District Programme Officer (Est.), Madhubani.
5. Bihar Sanskrit Siksha Board through its Chairman, Patna.
6. The Secretary, Bihar Sanskrit Siksha Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Nath Jha
For the Respondent/s	:	Mr. Madanjit Kumar- GP20
For BSSB	:	S.S. Sundram Shashank Shekhar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 09-03-2018 Heard learned counsel for the petitioner, State and the
counsel appearing on behalf of the Sanskrit Siksha Board.

Counsel for the petitioner submits that issue raised in the
present writ application is no more res integra. A coordinate
Bench of this court has occasioned to examine the similar issue
in C.W.J.C. No. 3171 of 2006 vide order dated 20.5.2011.

Learned counsel for the petitioner submits that in C.W.J.C.
No. 3171 of 2006 this court has occasioned to examine the
various aspects of the matter and on consideration of the entire



scheme, the court held out that the State Government is liable for payment and accordingly issued direction to the Sanskrit Shiksha Board for payment of salary within a period of three months from the date of receipt/production of a copy of this order.

Learned counsel for Sanskrit Shiksha Board submitted that writ petition may be disposed of with an observation that State Government may provide adequate fund so that payments as claimed by the petitioner may be made.

Learned counsel for the State submits that State Government pay only on verification of the genuineness of the claim of the incumbent which requires factual enquiry.

Considering the aforesaid, the writ petition is disposed of with direction to the respondent Sanskrit Shiksha Board as well as District Education Officer, Madhubani to look into the grievance and on verification of the record if it is found that the petitioner is entitled to payment of salary and his case is covered by the decision of this Court in C.W.J.C. No. 3171 of 2006, similar benefit should be extended to the petitioner also within a period of three months from the date of receipt/production of a copy of this order.

It is made clear that this court has not expressed any



opinion on the merit of the case.

The entire exercise is to be taken by the respondents on verification of the record and those records are lying with the respondents.

With the aforesaid, the writ petition stands disposed of.

Ravi/-

(Anil Kumar Upadhyay, J)

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