

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8812 of 2017

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Shoyab Alam @ Md. Shoyab Alam Son of Md. Zakatullah Resident of
Village - Maida, P.O. - Singhia Hat, P.S.- Kishanganj, District - Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resource Development Department,
Government of Bihar, Patna.
3. The Director Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Kishanganj.
5. The District Superintendent of Education, Kishanganj.
6. The Block Development Officer, Kishanganj.
7. The Mukhiya, Motihara Taluka Panchayat, Kishanganj, District - Kishanganj.
8. The Panchayat Secretary Motihara Taluka Panchayat, Block and District –
Kishanganj.
9. The District Programme Officer(Establishment), Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar
For the Respondent/s : Mr. Ashutosh Ranjan Pandey- AAG15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 15-02-2018 Learned counsel for the petitioner is permitted to implead

District Programme Officer(Establishment), Kishanganj as party

respondent no.9.

Heard learned counsel for the petitioner and the counsel
appearing on behalf of the State.

The grievance of the petitioner is confined to non-payment
of salary for the period the petitioner has worked.

In the absence of counter affidavit, the court is not in a
position to decide the factual dispute whether the petitioner has
worked during the period or not. It shall be obligation of the



respondents to examine the relevant record and to decide the entitlement of the petitioner.

In view of the above, the writ petition is disposed of with liberty to the petitioner to file representation before the respondent, District Programme Officer (Estb.) who shall examine the claim of the petitioner and after verification of the record, if the claim of the petitioner is found to be justified, appropriate order in accordance with law may be passed by the respondent 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 entitlement of the petitioner for payment of the salary for the period the petitioner has worked.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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