

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3285 of 2018

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1. Shri Nivash Yadav @ Sri Niwas Yadav, S/o-Rajeev Yadav, Resident of Village+ P.O.-Tari Barar, P.S.-Raghunathpur, District-Siwan.
 2. Sabir Hussain, S/o-Mr. Kadir Hussain, Resident of Village+P.O.-Raghunathpur, P.S.-Raghunathpur, District-Siwan.
 3. Tarkeshwar Manjhi, S/o- Ramblash Manjhi, Resident of Village+P.O.-Nandpur Amwari, P.S.-Raghunathpur, District-Siwan.
 4. Neelam Kumari, W/o-Ajay Kumar Baitha, Resident of Village + P.O.-Panjwar, P.S.-Raghunathpur, District-Siwan.
 5. Rajan KUMar Singh, S/o-Gopal jee Singh, Resident of Village + P.O.-Panjwar, P.S.-Raghunathpur, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Education Officer, Siwan.
2. The District Education Officer, Siwan
3. The Block Education Officer, Raghunathpur, P.O. + P.S.+District-Siwan.
4. The District Programme Officer, (Establishment), Siwan.
5. The Panchayat secretary, Gram Panchayat Raj Panjwar, P.O.-Panjwar, P.S.-Raghunathpur, District-Siwan.
6. The Mukhiya, Gram Panchayat Raj Panjwar, P.O.-Panjwar, P.S.-Raghunathpur. District-Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Prabhakar Jha- Gp27

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 11-05-2018 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The grievance of the petitioners in the writ petition is non-payment of salary.

Learned counsel for the petitioners submits that the appointment of the petitioners is legal and valid and they have regularly worked yet they are being denied salary. He submits



that taking work and denying payment of salary is violative of Article 21 and 23 of the Constitution of India.

In the matter of payment of salary, respondents are required to verify the records and if on verification of the record it is found that the appointment of the petitioners is legal and valid and they have actually worked for the period they are claiming salary, the respondents are required to ensure payment of salary - current as well as arrears.

In view of the above, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Siwan to verify the records and if it is found that the petitioners' appointment is legal and valid and they have worked for the period they are claiming salary, necessary order in this regard must be passed by the District Programme Officer (Establishment), Siwan for payment of arrears as well as current salary within a maximum period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

spandey/-

(Anil Kumar Upadhyay, J)

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