

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19267 of 2017

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Dimple Kumari, Wife of Raju Kumar, resident of Village- Gago, P.S.-
Nabinagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, District- Aurangabad.
4. The District Education Officer, District- Aurangabad.
5. The District Programme Officer (Establishment), Block- Nabinagar, District- Aurangabad.
6. The Block Development Officer, Block- Nabinagar, District- Aurangabad.
7. The Block Education Officer, Block- Nabinagar, District- Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Dubey
For the Respondent/s : Mr. Amit Bhushan- Gp17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Counsel for the petitioner submits that the petitioner was reinstated and as such entitled to back wages. He submits that the respondents have not taken any decision on the issue of payment of back wages on reinstatement of the petitioner.

Since the respondents have not taken any decision on the issue of payment of back wages on the reinstatement of the petitioner, the writ petitioner is directed to file representation



before the District Programme Officer(Estb.), Aurangabad. In case, such representation is filed by the petitioner within a period of one month from today, the respondent District Programme Officer(Estb.), Aurangabad is required to examine the case of the petitioner and pass appropriate order on the claim of the petitioner for payment of back wages on the reinstatement of the petitioner.

It is made clear that if the termination of the petitioner was held to be bad the natural corollary of such decision is payment of back wages and as such respondent is suppose to take final decision on the claim of the petitioner and if it is found that the petitioner is entitled to back wages, the same should be extended to the petitioner within a period of sixty days. In case, the claim of the petitioner for back wages is not accepted by respondent, the respondent, District Programme Officer (Estb.), Aurangabad is required to pass reasoned speaking order for rejecting the claim of the petitioner for payment of back wages on the reinstatement of the petitioner.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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