

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9532 of 2018

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1. Bipin Bihari Bharti, S/o Gauri Singh, R/o At+ P.O.- Matasi, P.S.- Halsi, District- Lakhisarai.
 2. Ram Navin Kumar Pankaj, S/o Ram Bilas Mandal, R/o Village- Kodwar, P.O.- Ghogha, P.S.- Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Lakhisarai, District- Lakhisarai.
5. The District Magistrate Bhagalpur, District- Bhagalpur.
6. The District Education Officer, Lakhisarai, District- Lakhisarai.
7. The District Education Officer Bhagalpur, District- Bhagalpur.
8. The District Programme Officer, Establishment (Education), Lakhisarai, District- Lakhisarai.
9. The District Programme Officer, Establishment, Bhagalpur, District- Bhagalpur.
10. The Block Development Officer, Halsi, District- Lakhisarai.
11. The Block Development Officer, Kahalgaon, District- Bhagalpur.
12. The Block Education Officer, Halsi, District- Lakhisarai.
13. The Block Education Officer, Kahalgaon, District- Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Respondent/s : Mr. Prabhakar Jha- GP27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 18-05-2018

Heard learned counsel for the petitioners and the respondents.

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

Petitioners are claiming that they their appointments are legal and valid and without any cogent reason payment has not been made to them.



After taking work and denying salary is Begari, which is impermissible under the Constitution of India.

In the matter of payment of salary, the respondents have to verify the record and to ascertain whether the petitioners' appointment is legal and valid and whether the petitioners have actually worked for the period they are claiming salary.

In the aforesaid circumstances, the respondent District Programme Officer (Establishment), Bhagalpur and Lakhisarai are hereby directed to verify the record and on verification if it is found that the petitioners' appointment is legal and valid, respondent District Programme Officer (Establishment), Bhagalpur and Lakhisarai shall ensure payment of salary to the petitioners, current and arrear, within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.05.2018
Transmission Date	

