

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13957 of 2018

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Mayank Kumar Gautam Son of Sri Krishna Deo Pandey, resident of Village-
Korma Kali Asthan, P.O. and P.S.- Belaganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Gaya.
4. The District Programme Officer Establishment, Gaya.
5. The Block Development Officer, Belaganj, Gaya.
6. The Block Education Officer, Belaganj, Gaya.
7. The Head Master Adarsh Middle School, Silaunga Belaganj, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Respondent/s : Mr. Umesh Narayan Dubey, A.C. to G.P. 27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the respondent State.

The grievance of the petitioner in the present case is
non-payment of the salary for the period from 01.04.2016 to
30.06.2018.

Learned counsel for the petitioner submits that on
account of illness petitioner did not attend his duties however,
on recovery he joined on 29.01.2017 and, thereafter, he is
regularly working but the respondents are not making payment
of his salary.

The Court is of considered view that, if the petitioner



is regularly working after recovery from illness then the respondents are under obligation to ensure the payment of the salary. The salary for the period of joining on recovery shall be considered by the respondents by considering his leave in terms of Service Rules (Casual Leave, Earned Leave, Medical Leave etc.). Necessary decision with regard to the payment of salary after joining as well as the salary for the period the petitioner was under medical leave or other admissible leave shall be taken by the respondent within a maximum period of 60 days from the period of receipt/production of a copy of this order.

With the aforesaid, the present writ petition is disposed of with the direction as indicated hereinabove.

(Anil Kumar Upadhyay, J)

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