

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21687 of 2018

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Hari Shankar Prasad Singh, Son of Ram Nagina Singh, Resident of Village-
Imadpur, P.O.-Imadpur, P.S.- Bhagwanpur, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna
2. The Director, Primary Education, Department of Education, Government of
Bihar.
3. The District Education Officer, Vaishali at Hajipur.
4. The District Programme Officer (Establishment), Vaishal at Hajipur.
5. The Block Education Officer, Bhagwanpur, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S. K. Ranjan, Advocate Mr. Vasant Vikas
For the Respondent/s	:	Mr. Rakesh Nr. Singh, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 18-07-2019 Heard learned counsel for the petitioner and the
respondents.

The grievance of the petitioner in the present writ application is for non-payment of salary for the period he was illegally kept out of employment.

Learned counsel for the petitioner submits that the petitioner was illegally terminated by the respondents and thereafter he was reinstated. He further submits that the teachers, who have been terminated along with the petitioner and thereafter reinstatement have been granted the benefit of salary, but in the case of the petitioner different yardstick has been



followed by the respondents. Learned counsel submits that the action of the respondents is in teeth of Section 4(c) of the Bihar State Litigation Policy.

Considering the aforesaid, the writ application is disposed of with a direction to the respondents to verify the fact whether the similarly circumstanced others have been reinstated with back wages or not and if others have been granted the back wages, there is no reason to deny back wages to the petitioner for the petitioner he was illegally kept out of employment.

Necessary decision granting the benefit of back wages at par with the similarly circumstanced teachers with all consequential benefits may be taken by the respondents within a maximum 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)

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