

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4289 of 2019

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Md. Shahnawaz Alam S/o Md. Zaffaruddin Resident of Village-Sabutar,P.O.
Kajha,P.S. K.Nagar,Dist.-Purnea Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary,Human Resources Development Department,Bihar,Patna
2. The Director(Primary Education) ,Human Resources Development Department,Bihar,Patna
3. The District Magistrate, Purnea
4. The District Education Officer, Purnea
5. The District Programme Officer, Purnea
6. The Block Education Officer, K. Nagar Block,Dist.-Purnea
7. The Block Development Officer, K. Nagar Block,Dist.-Purnea
8. The Panchayat Secretary, Ganeshpur Panchayat,K. Nagar Block,Dist.-Purnea
9. The Headmaster, Prathmic Vidyalaya,Karua Rahika,K. Nagar Block,Dist.-Purnea

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Ataur Rahman
For the Respondent/s : Mr.Kameshwar Kumar (Gp17)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-08-2019 The present application is thoroughly misconceived.

This Court has issued direction to the respondents vide Annexure-11 and in terms of order passed by this Court, petitioner has been granted 50 per cent salary for the period the petitioner was kept out of employment.

Now apprehension of the petitioner is that petitioner is not being treated in continuous service. There is no document which shows that respondents treated the aforesaid period while the petitioner was kept out of employment as break in service.

Since petitioner was paid 50 per cent salary, it goes



without saying that respondents by making payment of 50 per cent salary for the period petitioner was kept out of employment is acknowledgment of the fact that they have accepted the petitioner continuity in service. The apprehension otherwise is thoroughly misconceived. The writ petition is accordingly dismissed.

(Anil Kumar Upadhyay, J)

Ravi/-

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