

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2847 of 2019

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Kumari Sakshi W/o Sri Sanjeev Kumar, D/o Arvind Kumar Das, R/o-
Mohalla-Mishra Lane,P.S.-Bhikhanpur, District-Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The District Education Officer, Bhagalpur, Bihar
3. The District Programme Officer (Establishment), Bhagalpur, Bihar
4. The Block Development Officer Pirpainti, District-Bhagalpur Bihar
5. The Bihar School Examination Board, Patna through its Chairman Bihar
6. The Secretary, Bihar School Examination Board, Patna, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amarendra Kumar
For the Respondent/s : Mr.Madhaw Pd. Yadaw (GP-23)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-04-2019 The present writ petition, though in effect has been filed for verification of the result of the petitioner pertaining to the State Teachers Eligibility Test, but the substantive relief sought for is payment of salary of the petitioner who is working as a Prakhanda Teacher since the year 2014.

The learned counsel for the petitioner submits that neither there is any order of termination of the services of the petitioner nor any departmental proceeding has been initiated nor there is any order of the Court precluding the authorities from paying the salary of the petitioner, who is continuously working on the post of Prakhanda Teacher, hence the salary of



the petitioner be directed to be paid forthwith.

It is submitted that without any rhyme or reason or without passing any order, the salary of the petitioner has been stopped with effect from the month of January, 2016.

Per contra, the learned counsel for the respondents has only stated/submitted that the salary would be paid after verification of the certificate of the petitioner but since S.I.T. has taken away the entire records, the respondents are not able to verify the certificate of the petitioner.

However, this Court finds that the respondents have failed to show anything from the records to the effect that either the certificate of the petitioner is forged or the services of the petitioner has been terminated or any departmental proceeding has been initiated or is pending as against the petitioner herein.

Having regard to the facts and circumstances of the case, the writ petition is allowed and the respondents are directed to make payment of salary to the petitioner for the period she has worked in the services of the respondents forthwith.

(Mohit Kumar Shah, J)

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