

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17380 of 2018

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Rasna Kumari W/o-Ravi Kant Ray, Resident of Village and Post-Dharmapur,
Dist-Gopalganj, at Present Posted as Panchayat Teacher in New Govt.
Primary School Kuldipa, Block-Mairava, Dist.-Siwan. Petitioner/s
Versus

1. The State of Bihar
 2. The Director, Primary Education, H.R.D., Patna, Bihar.
 3. The District Education Officer, Siwan
 4. The District Programme Officer, Establishment, Dist-Siwan.
 5. The Block Education Officer, Mairava, Dist.-Siwan
 6. The Panchayat secretary, Gram Panchayat Raj Mudiary, Block-Mairava,
Dist.-Siwan.
 7. The Mukhiya, Gram Panchayat Raj Mudiary, Mairava, Dist.-Siwan.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bijay Shankar Choubey
For the Respondent/s : Mr.Sunil Kumar Ga12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

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

Grievance of the petitioner in the present writ
application is non-payment of salary.

Learned counsel for the petitioner submits that
petitioner is regularly working in the school. He has not been
terminated/removed or restrained from working. The salary of
the petitioner is due from September, 2010.

This writ petition was filed on 29.8.2018 with two
advance copies to the office of Advocate General but
unfortunately till date no counter affidavit has been filed by the
respondents.



Under the aforesaid circumstances, instead of keeping the issue of payment of salary pending, the writ petition is disposed of with direction to the District Programme Officer (Establishment), Siwan to enquire into the legality and validity of the appointment of the petitioner and also verify the record to ascertain whether the petitioner is regularly working or not?

In the event, it is found that appointment of the petitioner is legal and valid and petitioner is regularly working, the District Programme Officer (Establishment), Siwan shall ensure payment of salary for the period the petitioner has claimed.

Necessary decision in this regard may be taken by the respondents at the earliest preferably within a period three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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