

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21527 of 2018

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1. Satyendra Prasad, Son of Kusheshwar Roy Kesri
 2. Sunil Kumar, Son of Rameshwar Roy.
 3. Bobby Rani, Daughter of Shiv Nandan Mahto.
 4. Rekha Kumari, Daughter of Rambali Thakur,
All Resident of Village- Korbada, P.S.- Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government of Bihar,
Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Samastipur.
5. The District Education Officer, Samastipur.
6. The District Programme Officer, Education Department, Samastipur.
7. The Block Education Officer, Samastipur Block, District- Samastipur.
8. The Block Development Officer, Samastipur Block, District- Samastipur.
9. The Panchayat Secretary, Gram Panchayat Raj, Laguniya Suryakanth,
District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Respondent/s : Mr. Madanjeet Kumar -Gp20

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioners and the

State.

The claim of the petitioners in the present writ application is non-payment of salary for the period 01.11.2007 to 12.11.2009 and from 01.11.2016 to 31.03.2017.

Learned counsel for the petitioners submits that the petitioners were paid salary for certain period, but the salary for



the period indicated herein above has not been paid, although the petitioners are regularly working as Panchayat Teachers right from 01.12.2006 and 28.02.2007 respectively.

The issue of payment of salary depends on verification of the fact as to validity of appointment and working of the petitioner as Panchayat Teachers. The factual enquiry in this aspect can appropriately be done by the District Programme Officer (Establishment), Samastipur.

Accordingly, the writ application is disposed of with a direction to the District Programme Officer (Establishment), Samastipur to verify the record to ascertain whether the appointment of the petitioners are legal and valid and whether the petitioners have worked for the period they are claiming salary. In the event, the appointment of the petitioners on verification is found to be legal and valid and petitioners have actually worked for the period they are claiming salary, the respondent District Programme Officer (Establishment), Samastipur shall ensure payment of salary at the earliest within a maximum period of 60 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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