

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22742 of 2018

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Harendra Kumar son of Late Chandramauli Prasad, resident of village-Chaya,
Police Station- Atri, District- Gaya, at present clerk in 2nd Vot. School Jethain,
P.S. - Atri, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Director Secondary Education, Education Department, Govt. of Bihar,
Patna.
3. The Regional Deputy Director of Education, Magdh Division, Gaya.
4. The District Education Officer, Gaya.
5. The District Programme Officer Establishment Gaya.
6. The Principal Govt. Girls High School Jethian cum D.D.O. 2 Govt. High
School Jethian, Gaya.
7. The In-charge Principal, 2 Govt. High Schoolk Jethian, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Sagar Singh
For the Respondent/s : Smt. Shilpa Singh -GA-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-09-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The grievance of the petitioner is non payment of
salary/current salary and salary for the strike period.

Learned counsel appearing on behalf of petitioner
submits that the difference of salary of the petitioner by granting
the benefit of 6th Pay Revision as well as for grant of the benefit
under the ACP Scheme is also the grievance of the petitioner.

Learned counsel appearing on behalf of State submits



that the issue is under inquiry and therefore, payment has not been made. There is no denial that similarly circumstanced, other have been granted payment and other benefit which is claimed by the petitioner in the present case.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Education Officer, Gaya to verify the record to ascertain the entitlement of the petitioner and decide the claim of the petitioner for payment of leave salary, dues of salary, salary for strike period benefit of 6th PRC as well as benefit of ACP under ACP Rules within a period of 60 days from the date of receipt/production of copy of this order. Failing which the arrears will carry interest at the rate of 9% from the date of accrual to the date of actual payment and the same will be born out from the pocket of District Education Officer, Gaya.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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