

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4255 of 2019

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Anand Kumar, aged about 40 years, Male, S/o Ram Yash Ram, Resident of Road No. 1A, White House Compound, Near Mirza Ghalib College, P.O.- Gaya, P.S.- Rampur, Distt.- Gaya, at present residing in the House of Umesh Prasad Yadav, Mohalla- Bhagat Singh Colony, Nand Lal Mishra Lane, Surkhikal, P.S.- Barari, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The State Project Director, Bihar Education Project Council, Bihar, Patna.
4. The State Project Officer Inclusive Education for Disabled, Bihar, Patna.
5. The District Magistrate, Gaya.
6. The District Programme Officer, Bihar Education Project/Samagra Shiksha Abhiyan, Gaya.
7. The Accounts Officer, Bihar Education Project, Gaya.
8. The Assistant Programme Officer-cum-Co-ordinator, Inclusive Education, Bihar Education Project, Gaya.
9. The District Programme Officer, Elementary Education-cum-Sarva Shiksha Abhiyan, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma, Adv.
For the State : Mr. Prabhakar Jha (GP27)
For the BEPC : Mr. Girijesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 08-03-2019

Though it appears to be rather surprising, but



has been seriously contended by the learned counsel for the petitioner that despite the petitioner having served as a Physiotherapist with the Bihar Education Project Council, Gaya since 2018, he has not been paid his salary/honorarium for the aforesaid period. Despite that, it has further been contended on behalf of the petitioner that he has been transferred to Bhagalpur. All his efforts by making petition before the concerned authorities have turned a cropper.

2. This Court is of the view that if work is taken from an employee, there is no dispute that he is required to be paid for the same.

3. Under the aforesaid circumstances, without asking for any counter affidavit in the matter, this Court directs the petitioner to make a fresh representation before the District Programme Officer, Bhagalpur, where the petitioner has been transferred/deputed and who would be the nodal authority for releasing payment to the petitioner for the period that he has served the Bihar Education Project Council, detailing his grievances within a period of four



weeks from today. On receipt of such representation of the petitioner, the same shall be disposed off by the concerned respondent within a further period of four weeks thereafter.

If the assertions of the petitioner is found to be correct and the claim to be tenable, there should not be any dilly-dallying in the matter and necessary sequel order be issued for redressal of the grievances of the petitioner forthwith, *i.e.*, within the aforesaid stipulated period of four weeks.

4. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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