

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8148 of 2017

1. Rajesh Kumar Bharti S/o Jaiprakash Mandal, Resident of Village- Kehar Mandal Tola, Post- Pir Nagara, P.S.- Beldaur, Dist- Khagariya, Presently posted as Panchayat Teacher in Primary School- Damodapur, Gram Panchayat Amba, Block- Sahpur, Dist- Bhagalpur.
2. Soni Kumari, D/o Sadan Lal Verma, resident of Village and Post- Simara, P.S.- Tikapatti, Dist- Purnea. Presently posted as Panchayat Teacher in Primary cum Middle School Kasawan Serhi, Block- Sahkund, Dist- Bhagalpur.
3. Dharamendra Kumar, S/o Sri Triveni Yadav, Resident of Village and Post- Bandehara, P.S.- Pasraha, Dist- Kagariya, Presently posted as Panchayat Teacher Primary School Kathaun, Block- Sahkund, Dist- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, H.R.D. Patna, Bihar.
3. The District Magistrate, Bhagalpur.
4. The District Education Officer, Bhagalpur.
5. The District Program Officer Establishment, Dist- Bhagalpur.
6. The Block Education Officer, Block- Sahkund, Dist- Bhagalpur.
7. The Block Development Officer, Block- Sahkund, Dist- Bhagalpur.
8. The Panchayat Secretary, Gram Panchayat Raj Daspur, Block- Sahkund, Dist- Bhagalpur.
9. The Panchayat Secretary, Gram Panchayat Raj Kasawan Serahi, Block- Sahkund, Dist- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Shankar Choubey Mr. Shekhar Singh Mr. Praveen Kumar
For the Respondent/s	:	Smt. Shilpa Singh, GA-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 19-04-2019 The present writ petition has been filed for quashing of the letter dated 11.07.2016 issued by the District Programme Officer, Bhagalpur, whereby and where under a show cause has been asked from the petitioners herein with regard to the petitioners having obtained employment on the basis of S.T.E.T. certificate whereas for the post of Primary Teacher T.E.T. pass certificate is essential.

The learned counsel for the petitioners submits that



though the show cause has been issued as far back as on 11.07.2016, but no final decision has been taken and without any rhyme or reason the payment of salary of the petitioners is not being made.

Per contra, the learned counsel for the respondents submits that the respondents would definitely be taking a final decision in the matter, and in the meantime, if the petitioners have worked, they would be paid the admitted outstanding dues of salary.

Having regard to the facts and circumstances of the case, the writ petition is disposed off with a direction to the respondents to pay the admitted outstanding dues of salary for the period the petitioners have worked as well as with a further direction to the respondents to refrain from creating any impediment in future with regard to the service conditions of the petitioners till a final decision is taken in pursuance to the show cause notice dated 11.07.2016.

(Mohit Kumar Shah, J)

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