

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12328 of 2019

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1. Harishchandra Kumar S/o Hira Lal Ram Vill.- Beldarwa, P.O.- Auraiya, P.s.- Adapur, Distt.- East Champaran
 2. Punita Kumari W/o Mahendra Kumar Vill.- Beldarwa, P.O.- Auraiya, P.s.- Adapur, Distt.- East Champaran
 3. Md. Abdur Rahman S/o Shekh Sajjad Ali Vill.- Gobri, P.O.- Mlkhalishpur, P.s.- Banghariya, Distt.-East Champaran
 4. Kumar Gautam s/o Amit Kumar singh Resident of Anandpuri Belbanwa, P.O.- Motihari, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Department of Education, Govt. of Bihar
3. The Bihar School Examination Board Patna, through its Secretary
4. The Secretary Bihar School Examination Board, Patna
5. The District Education Officer Motihari, East Champaran
6. The District Program Officer Establishment, Motihari, East Champaran
7. The Blok Education Officer Bankatwa, East Champaran
8. The Panchyat Secretary Gamhariya Kala, Bankathwa, East Champaran
9. The Panchyat Secretary Bankatwa, East Champaran
10. The Blok Education Officer Bangariya, East Champaran
11. The Panchyat Secretary Panchrukhha, Bangariya, East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Lala Sheshendra Narayan Rais, Advocate
For the Respondent/s : Mr. Madhaw Prasad Yadav, G.P. 23

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 24-07-2019 Learned counsel for the petitioner would submit that the defect/s as pointed out by the office is misconceived. The petitioner has already deposited the requisite stamp fee and there is no defect.

Considering the aforesaid, the objection of the office



stands ignored.

Learned counsel for the petitioner submits that the issue raised in the present writ petition is covered by the decision of this Court in C.W.J.C. No. 13204 of 2019.

Considering the aforesaid, the writ petition stands disposed of with a direction to the respondents to examine the claim of the petitioner and if it is covered by the decision in C.W.J.C. No. 13204 of 2019, same treatment shall be extended to this petitioner also. The relevant portion of the order dated 08.07.2019 passed in C.W.J.C. No. 13204 of 2019 is quoted hereunder:

“The present writ application has been filed by the petitioners for a direction to the respondents to make payment of salary to them.

Learned counsel appearing on behalf of the petitioners submits that the petitioners' certificate i.e. passing TET is the subject matter of verification since 2016 and on account of inconclusive verification, the respondents are not making the payment to the petitioners.

Considering the fact that the process of verification of certificate cannot be ever last matter, the Court directs the respondents to conclude the verification of the certificates of the petitioners within a period of four months and thereafter to ensure payment of salary (arrears and current).

In the event, final verification is not completed within the time frame, the petitioners shall be entitled to salary (arrears and current) irrespective of



non-completion of verification of certificate.

In the event, the petitioners are not paid salary within a further period of 60 days from the time frame of four months, petitioners would be entitled to interest on arrears of salary at the rate of 9% per annum, which shall be born out from the pocket of District Programme Officer (Establishment), Motihari, East Champaran.”

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

(Anil Kumar Upadhyay, J)

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