

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12266 of 2019

1. Amit Kumar Singh S/o Ramesh Prasad Singh Resident of Village- Parsahi, Post- Bajitpur, P.S.- Triveniganj, Dist- Supaul, Presently posted as Block Physical Teacher, Upgraded Middle School, Parsahi (Math), Block- Triveniganj.
2. Sachidanand Choudhary Son of Sri Kartik Choudhary Resident of Village and Post- Babhangawan, P.S.- Triveniganj, Dist- Supaul, Presently posted as Block Physical Teacher, Middle School- Gajahar, Panchayat- Mahesua, Block- Triveniganj, Dist- Supaul.
3. Subodh Kumar S/o Guneshwar Yadav Resident of Village- Methia, Post- Daprakha, P.S.- Triveniganj, Dist- Supaul. Presently posted as Block Physical Teacher in Upgraded Middle School, Lagunia, Panchayat- Mirjavan, Block- Triveniganj, Dist- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Director, Primary Education, H.R.D. Patna, Bihar.
3. The District Magistrate, Supaul.
4. The District Education Officer, Supaul.
5. The District Program Officer (Establishment), Dist- Supaul.
6. The Block Education Officer, Block- Triveniganj, Dist- Supaul.
7. The Block Development Officer, Block- Triveniganj, Dist- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Shankar Choubey, Advocate
For the Respondent/s : Mr. Prabhat Ranjan Singh, AAG-15

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 15-10-2019 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The grievance of the petitioners is non payment of
salary.

Learned counsel appearing on behalf of petitioners
submits that petitioners have worked as Panchayat Teacher but



petitioners have not been paid salary. The issue requires factual enquiry. Taking work and denying salary is not permissible as it would amount to beggary. However, the issue of payment of salary requires scrutiny of facts, firstly the enquiry as to the validity of the appointment, secondly, the issue as to actual working. This factual enquiry is within the domain of the District Programme Officer (Establishment), Supaul.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Supaul to verify the record to ascertain the validity of the appointment of the petitioners and decide the claim of the petitioners for payment of salary within a period of 60 days from the date of receipt/production of copy of this order.

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

(Anil Kumar Upadhyay, J)

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