

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12512 of 2019

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Babita Kumari Wife of Upendra Kumar Paswan Resident of village- Pet Biraicha, P.O.- Moghal Biraicha, P.S.- Barauli, District- Gopalganj, presently posted as Assistant Teacher, Primary School, Sarfara Kanya, Sarfara, Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director Primary, Education Department, Government of Bihar, Patna.
3. The District Programme Officer (Establishment) Gopalganj.
4. The Block Education Officer Cum Drawing and Dispersing Officer Block Barauli, District- Gopalganj.
5. The Headmaster of Primary School Sarfara Kanya, Sarfara, Barauli, District- Gopalganj.
6. The Panchayat Secretary of Sarfara Gram Panchayat Raj Sarfara Block- Barauli, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vikash Kr. Shukla Mr. S.B. Singh
For the Respondent/s	:	Mr.Jitendra Kumar Roy 1 (Sc13)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 25-06-2019 The Court failed to understand the attitude of respondent taking work but denying payment.

If the respondents are taking work, they are under obligation to see that the teachers are paid.

Such trivial matter of non payment of salary should not travel the High Court when there is no controversy as to legality and validity of the appointment.

Learned counsel appearing on behalf of the petitioner



would submit that respondents after verification of the record fixed pay scale but they are not making payment to the petitioner.

Considering the pay fixation contained in Annexure-6, the writ petition is disposed of with direction to the District Programme Officer, Gopalganj to ensure payment of salary of the petitioner within a maximum period of sixty days from the date of receipt/production of a copy of this order, failing which the arrear will carry interest at the rate of 9 per cent per annum from the date of accrual till the date of actual payment and the same shall be born out from the pocket of District Programme Officer, Gopalganj.

(Anil Kumar Upadhyay, J)

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