

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14136 of 2019

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1. Manish Kumar Chaudhary, Son of Sri Shivjee Chaudhary, Resident of Village- Semra, Purab Tola, P.O. and P.S.- Thawe, District- Gopalganj.
 2. Chandan Kumar, Son of Sri Ram Pravesh Singh, Resident of Village- Parshurampur, P.S.- Manjagarh, District- Gopalganj.
 3. Vikas Kumar Singh, Son of Sri Shambhu Singh, Resident of Village- Kaparpura, P.O. Jhirwan, P.S.- Thawe, District- Gopalganj.
 4. Shreekant Kumar, Son of Sri Ram Darshan Ram, Resident of Village and P.O.- Madhopur, P.S.- Barauli, District- Gopalganj.
 5. Rinki Kumari, Wife of Sri Alok Kumar Singh, Resident of Janglia, Ward No. 18, Thawe Road, P.S. and District- Gopalganj.
 6. Kamini Kumari, Wife of Sri Avinash Kumar Singh, Resident of Janglia, Ward No. 18, Thawe Road, P.S. and District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Prabhat Ranjan Singh, A.C. to A.A.G. 15

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-07-2019 Heard learned counsel for the petitioners and learned counsel appearing for the respondent State.

The petitioners have approached this Court for a direction to the respondents for payment of salary arrears as well as current.

Learned counsel for the petitioner with reference to the prayer made would submit that the petitioners have been



appointed as Panchayat Shikshak after the decision of District Teacher Employment Appellate Authority. The petitioners have been allowed to join the post of Panchayat Shikshak, they are regularly working but till date they have not paid salary. Taking work and denying salary is illegal and arbitrary which is not permissible in our Constitutional system.

Considering the fact that the petitioners have been appointed after decision of the District Teacher Employment Appellate Authority, the present writ petition is disposed of with a direction to the respondents to verify the claim of the petitioners and they should be paid salary for the period they have actually worked. Necessary decision with regard to the payment to the petitioner must be taken by the respondent District Programme Officer (Establishment), Gopalganj, at the earliest preferably within a maximum period of 60 days from the date of receipt/production of a copy of this order.

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

(Anil Kumar Upadhyay, J)

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