

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14462 of 2019

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1. Osihar Prasad Son of late Ramashish Prasad, Resident of Village- Jadopur, P.O. and Panchayat- Jadopur Panchayat, P.S. Jadopur, District- Gopalganj.
 2. Amina Khatoon, D/o Subedar Ahmad, Resident of Village and Post- Babu Bisunpur, P.S. Jadopur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The District Education Officer, Gopalganj.
4. The District Programme Officer(Establishment) Gopalganj.
5. The Block Education Officer, Gopalganj,.
6. The Panchayat Secretary, Gram Panchayat Sikshak Niyojan Samiti, Gram Panchayatn Bisunpur East, Block- Gopalganj.
7. The Mukhiya-Cum-Chairman, Panchayat Sikshak Niyojan Samiti, Gram Panchayat Bisunpur East, Block- Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Prakash Singh, Advocate Mr. Prakash Singh, Advocate
For the Respondent/s	:	Mr. Rajeev Ranjan, A.C. to G.P. 20

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners have filed the present writ application for direction to the respondents to pay their salary.

Learned counsel for the petitioners would submit that the petitioners have been appointed as Panchayat Teachers on 29.03.2017. They are regularly working but unfortunately, they have not been paid salary. Taking work and denying salary is



exploitation and Beggary which is violative of Article 23 of the Constitution. It appears that officials in the State of Bihar are practicing Beggary notwithstanding it is violation of the Article 23 of the Constitution of India.

On frequent complaints of non-payment of salary, the Principal Secretary of the Education Department sent a letter dated 17.06.2015, but it appears that the letter of the Principal Secretary, Education Department is of no avail. The Court is flooded with the problem of writ petitions involving non-payment of salary.

Considering the aforesaid fact and the submission that the petitioners are regularly working and not getting salary, the present writ petition is disposed of with a direction to the District Programme Officer (Establishment) Gopalganj to take appropriate decision with regard to the payment of salary to the petitioner within a period of 30 days from the date of receipt of a copy of this order, failing which, the amount of arrears will carry interest at the rate of 9% which shall be borne from the pocket of the District Programme Officer (Establishment) Gopalganj.

Let a copy of this order be communicated to the Principal Secretary for appropriate action against the erring



officers who have defied the instruction dated 17.06.2015 and
not paid the teachers even after they have worked.

(Anil Kumar Upadhyay, J)

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