

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14045 of 2019

=====

Indradeo Paswan, Son of Late Mathura Paswan, Resident of Village-
Hiramba, P.O.- Gaura, P.S.- Laxmipur, District- Jamui. Petitioner/s
Versus

1. The State of Bihar through the Principal Secretary, Education, Bihar, Patna.
 2. The Director, Primary Education, Bihar, Patna.
 3. The Regional Deputy Director, Bihar, Patna.
 4. The District Magistrate, Jamui.
 5. The District Education Officer, Jamui.
 6. The District Programme Officer (Education Establishment), Jamui.
 7. The District Programme Officer (Primary Education), Jamui.
 8. The Block Education Officer, Laxmipur, District- Jamui.
- Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bharat Lal
For the Respondent/s : Mr. Sunil Kumar, AC to GA-12)

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 15-07-2019 Heard learned counsel for the petitioner and the
respondents.

The grievance of the petitioner is non-payment of
salary to him since May, 2017.

Learned counsel for the petitioner submits that the
petitioner was appointed as Panchayat Teacher in Primary
School, Mahua Garh, under Gram Panchayat Madaiya, Block
Laxmipur, District Jamui on 12.02.2007. Subsequent to the
appointment, the petitioner appeared in Teachers Eligibility Test
in the year 2010 and also completed Certificate in Primary
Teaching from IGNOU in 2012 and thereafter the petitioner was



declared as trained teacher, yet his salary has been stopped since May, 2017. He submits that the respondents are denying salary on the ground that the degree of Central Board of Higher Education, New Delhi is not recognized. Learned counsel submits that there are two institutions of similar name and one is recognized institution and the other is not recognized.

Learned counsel for the petitioner submits that opportunity of hearing was not given to the petitioner to establish that his certificate is genuine and the respondents have arbitrary stopped the salary, yet the petitioner is working.

Considering the peculiar facts of the case, the writ application is disposed of with a direction to the respondents to take appropriate decision on the validity of the degree of the petitioner within a period of 60 days from the date of receipt/production of a copy of this order.

In the meantime, the respondents are directed to take final decision with regard to payment of salary to the petitioner, as taking work and denying salary is Begari, which is violation of Article 23 of the Constitution of India.

With the aforesaid observations and directions, this application stands disposed of.

(Anil Kumar Upadhyay, J)

uday/-

U			
---	--	--	--

