

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14318 of 2019

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1. Ramesh Kumar Sah Son of Sri Ramayan Sah Resident of Village- Tenua, Tejpurwa, P.S.- Marhaura, District- Saran.
 2. Jay Prakash Ray Son of Dinanath Prasad Resident of Village- Gopalpur Kamta, P.S.- Baniyapur, District- Saran.
 3. Narendra Kumar Ray Son of Shree Narayan Ray Resident of Village- Narharpur, P.S.- Marhaura, District- Saran.
 4. Md. Rojid Ansari Son of Jainullah Ansari Resident of Village- Narharpur, P.S.- Marhaura, District- Saran.
 5. Imran Khan Son of Hajrat Ali Resident of Village- Narharpur, P.S.- Marhaura, District- Saran.
 6. Shahabudin Son of Late Hazrat Ali Resident of Village- Narharpur, P.S.- Marhaura, District- Saran.
 7. Nasrudin Ansari Son of Sarfudin Ansari Resident of Tola Basatpur, Narharpur, P.S.- Marhaura, District- Saran.
 8. Hamid Husain Son of Rumali Miyan Resident of Village- Narharpur, P.S.- Marhaura, District- Saran.
 9. Manoj Kumar Prasad Son of Premchand Prasad Resident of Parsa Jogani, P.S.- Parsa, District- Saran.
 10. Md. Nazir Hussain Son of Abdul Aziz Ansari Resident of Masaha, Shio Mohammadpur, P.S.- Marhaura, District- Saran.
 11. Md. Lukman Gani Son of Md. Suleman Resident of Gopalpur, P.S.- Baniyapur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Education, Govt. of Bihar, Patna.
2. The Joint Secretary Department of Education Govt. of Bihar, Patna.
3. The Director Primary Education, Department of Education Govt. of Bihar, Patna.
4. The District Education Officer Saran at Chapra.
5. The District Programmed Officer (Establishment) Saran at Chapra.
6. The Block Education Officer Baniyapur, District- Saran, Chapra.
7. The Secretary cum the Block Development Officer Baniyapur, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vitesh Kumar Singh, Advocate
For the Respondent/s	:	Mr. Prabhat Ranjan Singh, AC to AAG 15



CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners have approached this Court for a direction to the respondents to make payment of salary to the petitioners for the period from January, 2016 till date.

Learned counsel for the petitioners would submit that earlier the petitioners had approached the District Teachers Employment Appellate Authority and vide order dated 30.07.2018, as contained in Annexure-3, the Appellate Authority directed the respondents to make payment of salary to the petitioners, who were appellants therein. The order of the Appellate Authority was not acted upon by the respondents. Aggrieved by the aforesaid inaction of the respondents, the petitioners had filed CWJC No. 10198 of 2019 which was disposed of on 07.05.2019 with liberty to the petitioners to once again approach the District Teachers Employment Appellate Authority. Now the petitioners have approached this Court with a grievance that after the order of the writ court they approached the District Teachers Employment Appellate Authority for the same relief second time but the District Teachers Employment Appellate Authority is non-functional and as such the petitioners



are constrained to approach this Court by filing the present writ petition.

In the facts of the case, the Court is constrained to direct the respondents to ensure payment of salary to the petitioners in the light of the order dated 30.07.2018 as contained in Annexure-3 within a maximum period of 60 days from the date of receipt/production of a copy of this order failing which the arrears will carry interest at the rate of 9% per annum from the date of accrual till the date of actual payment which shall be borne by the District Programme Officer, Saran at Chapra and the Block Education Officer, Baniyapur, District-Saran at Chapra from their own pockets.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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