

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14691 of 2019

=====

Anuj Kumar Chaudhary Son of Mathura Chaudhary Resident of Village-
Roshna, P.O.- Roshna, P.S.- Prampur, District- Katihar.

... .. 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 Magistrate Katihar.
4. The District Education Officer Katihar.
5. The District Programme Officer (Establishment) Katihar.
6. The Block Development Officer Block- Azamnagar, District- Katihar.
7. The Block Education Officer Block- Azamnagar, District- Katihar.
8. The Panchayat Secretary Gram Panchayat Raj, Mallikpur, Block- Azamnagar, District- Katihar.
9. The Mukhiya Gram Panchayat Raj, Mallikpur, Block- Azamnagar, District- Katihar.
10. The Headmaster Primary School, Jarhanda, Gram Panchayat Raj, Mallikpur, Block- Azamnagar, District- Katihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shashi Priya Pathak, Adv.
For the Respondent/s : Mr. Umesh Narayan Dubey, AC to GP-27

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-07-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The grievance of the petitioner is non payment of
salary to the petitioner, from the date of his appointment to till
date.

Learned counsel appearing on behalf of petitioner
submits that petitioner has worked as Panchayat Teacher but



petitioner has not been paid salary for aforesaid period. The issue requires factual enquiry. Taking work and denying salary is not permissible as it would amount to beggary. However, the issue of payment of salary requires scrutiny of facts, firstly the enquiry as to the validity of the appointment, secondly, the issue as to actual working. This factually enquiry is within the domain of the District Programme Officer (Establishment), Katihar.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Katihar to verify the record to ascertain the validity of the appointment of the petitioner and decide the claim of the petitioner for payment of salary within a period of 60 days from the date of receipt/production of copy of this order.

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

(Anil Kumar Upadhyay, J)

mdrashid/-

U			
---	--	--	--

