

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14959 of 2019

Prakash Narayan Son of Sri Rama Kant Singh Resident of Mohalla-Haziapur
Road, Ward No. 11, P.S.-Gopalganj, District-Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna
2. The District Magistrate Gopalganj
3. The District Education Officer Gopalganj
4. The District Program Officer (Establishment) Gopalganj
5. The Block Education Officer Gopalganj
6. The Panchayat Sachiv Panchayat Raj Bishunpur East, Block-Gopalganj,
District-Gopalganj

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satyam Shivam Sundaram
For the Respondent/s : Mr.Ashutosh Ranjan Pandey (Aag15)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 25-07-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner alongwith five other have been appointed as
Panchayat Teacher. Out of the six appointments in the same
transaction to Osihar Prasad and another have filed C.W.J.C.
No. 14462 of 2019, their writ petition was disposed of vide
order dated 22.07.2019.

Learned counsel appearing on behalf of petitioners
submits that the case of the present petitioner is identical to the
case of petitioners in C.W.J.C. No. 14462 of 2019.



Considering the submission advanced on behalf of petitioner that the case of the petitioner is identical to the case of petitioner in C.W.J.C. No. 14462 of 2019, the present writ application is disposed of in the similar terms in C.W.J.C. No. 14462 of 2019. The relevant part of the order dated 22.07.2019 is quoted herein below:

“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 violative 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.”

Mr. Satyam Shivam Sundaram, learned counsel appearing on behalf of petitioner submits that the respondents have in fact prepared a cheque for payment to the petitioner but the payment has not reached the petitioner. This aspect of the matter shall be consideration by the respondents while taking appropriate decision in this regard.

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

(Anil Kumar Upadhyay, J)

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