

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15013 of 2019

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Niranjan Bind, S/o Late Nathuni Nunia Resident of Ward No. 25, Ramnagar,
Katihar, P.S. and Distt.- Katihar, State- Bihar, Pin- 854105

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Department of Education, Bihar, Patna
2. The Regional Deputy Director of Education Purnea Division, Purnea
3. The District Education Officer Establishment Section, Katihar
4. The District Programme Officer Establishment, Katihar
5. The Block Education Officer Dankhora, Katihar
6. The Block Education Officer Pranpur, Block- Pranpur, Distt.- Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Barun Kumar Choudhary, Advocate
For the Respondent/s : Smt.Shilpa Singh (Ga12)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

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

The petitioner is aggrieved by non-payment of salary for the period the petitioner has worked particularly with effect from May, 2017 till date. The petitioner claims that he has not been paid salary for the aforesaid period despite regularly working.

The issue of payment of salary requires factual enquiry and the District Programme Officer (Establishment), Katihar would be the competent person to enquire into the factual aspect.



In view of the above, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Katihar to verify the record to ascertain whether the appointment of the petitioner is legal and valid and whether the petitioner has worked from May, 2017 onwards or not. In the event the appointment of the petitioner is found to be genuine and the petitioner has worked for the period from May, 2017 onwards, the respondent- District Programme Officer (Establishment), Katihar is required to ensure payment of salary for the period the petitioner has worked as taking work and denying salary amounts to Beggari and violative of Article 23 of the Constitution. Necessary decision in this regard must be taken by the respondents at the earliest preferably within a maximum period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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