

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17143 of 2019**

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Suman Kumari, W/o Jitendra Kumar Yadav, resident of Village- Bilrua, P.S.-  
Bijaypur, Distt.- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Secondary Education, Patna
2. The Secretary, Secondary Education, State of Bihar, Patna
3. The Collector, Gopalganj
4. The District Programme Officer Establishment
5. The Block Education Officer, Bijaiapur, Distt.- Gopalganj
6. The Headmaster, N.P.S. Chak Tola, Gurumiya, P.S.- Biajpur, Distt.-  
Gopalganj

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Mritunjay Prasad Singh  
For the Respondent/s : Mr.Prabhakar Jha (Gp27)

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      22-08-2019                      Heard learned counsel for the petitioner and the  
respondents.

The present writ application involves the issue of  
payment of salary.

Taking work and denying salary amounts to violation  
of Article 23 of the Constitution of India.

Learned counsel for the petitioner submits that the  
petitioner has not been paid salary since April, 2017.

Considering the aforesaid, the writ application is  
disposed of with a direction to the District Programme Officer  
(Establishment), Gopalganj to take appropriate decision with



regard to the claim of the petitioner for payment of salary after verification of the record. The District Programme Officer (Establishment), Gopalganj shall verify the legality and validity of the appointment of the petitioner and also to verify the actual period of working of the petitioner and on satisfaction as to the legality and validity of the appointment and actual working of the petitioner, the respondent District Programme Officer (Establishment), Gopalganj shall pass appropriate order for payment of salary.

Necessary decision in this regard may be taken by the respondent District Programme Officer (Establishment), Gopalganj at the earliest preferably within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

**(Anil Kumar Upadhyay, J)**

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