

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17042 of 2019

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Usha Kumari, D/o Sri Budhiram Prasad, Resident of Village- Kalyanpur, P.S. Bhore, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Education Officer, Vijaipur, District- Gopalganj.
5. The Headmaster, N.P.S., Khape, Anchal- Vijaipur, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh
For the Respondent/s	:	Smt. Binita Singh (Sc28)
		Mr. Nishant Kumar Jha, AC to SC-28

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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 three months from the date of receipt/production of a copy of this order.

Noticing the uncalled decision for withholding of salary, the Human Right Commission has passed the order for compensation of Rs.25,000/-, yet the respondents have not mend their way in the matter of payment of salary.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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