

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17774 of 2019

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Mantosh Kumar S/o Sri Rama Kant Prasad Vill.- Birawat, P.O.- Musahari,
P.s.- Vijaipur, Distt.- 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, Distt.- Gopalganj
5. The Headmaster N.P.S., Gormiya Tola, Chakhni, Anchal- Vijaipur, Distt.-
Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh
For the Respondent/s : Mr.Subash Chandra Mishra (Sc16)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and learned
counsel for the respondent State of Bihar.

The grievance of the petitioner in the present
application is non-payment of salary from July 2015.

Learned counsel for the petitioner would submit that
the petitioner was legally and validly appointed on the post of
Panchayat Teacher in New Primary School, Gormiya Tola,
Chakhni, Kutiya Anchal Vijaipur, District Gopalganj, on
01.07.2015, but unfortunately he has not been paid salary. If the
petitioner has been legally and validly appointed and working
regularly, he is entitled to payment of salary as taking work and



denying salary is Beggary and violative of Article 23 of the Constitution.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer (Establishment) Gopalganj to examine the record as to legality and validity of appointment and also the fact that the petitioner is actually working. If on verification of record it is found that the petitioner has been legally and validly appointed and he has worked, the respondent District Programme Officer (Establishment) is under obligation to ensure payment of salary – arrears as well as current – to the petitioner. Necessary decision in this regard must be taken within a maximum period of 60 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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