

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1552 of 2019

Sanju Kumari, wife of Satrudhan Singh Resident of Village- Uttri Telihar,
Ward No. 7, Post- Telhar, Block and Police Station- Beldaur, District-
Khagaria

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary Department of Social and welfare,
Government of Bihar, Patna
2. The Director (I.C.D.S), Social Welfare department, Government of Bihar
Patna
3. The Divisional Commissioner, Munger cum Deputy Director, child
Development Project Officer, Munger
4. The District Magistrate cum Collector, Khagaria
5. The District programme Officer, Khagaria
6. The child Development Officer, Beldaur, Khagaria
7. The Mukhiya of under Gram Panchyat Raj, Telhar, Block and Police Station-
Beldaur, District-Khagaria

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shekhar Kumar Singh
For the Respondent/s	:	Mr.S.K.Mandal (Sc3)
		Ms. Neelam Kumari, AC to SC 3

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 29-01-2019

Heard learned counsel for the petitioner and the
State.

2. The petitioner seeks a direction to the
respondents to pay her the arrears of salary from
24.01.2012 to 01.03.2016.

3. It appears that the petitioner was appointed as
Aanganwari Sewika under the Gram Panchayat, Telihar in
the district of Khagaria. However, her services were
terminated on 24.01.2012 on the basis of an enquiry
report submitted by the Deputy Collector, Khagaria. The
enquiry report *inter alia* revealed that during inspection,



the petitioner was found absent from duty. The petitioner challenged the aforesaid order of termination before the appellate authority and on factual grounds the appellate authority set aside the order of termination and directed for reinstatement of the petitioner on the post. However by the aforesaid appellate order, it was made clear that during the period that the petitioner did not work, no remuneration/honorarium shall be paid to her.

The aforesaid order has not been challenged.

4. Since the appellate order of reinstatement makes it abundantly clear that the petitioner shall not be paid for the period that she did not work, there is no reason for this Court to pass any other order.

5. No payment for no work during the period of termination or suspension may not be a punishment but is only a declaration of the basic rule that nobody ought to be paid for not having worked for the aforesaid period.

6. There being no merit in this writ petition, the same is dismissed.

7. Cost easy.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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