

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5115 of 2019

1. Nandji Ram S/o Late Bunela Ram R/o Village Rampur Kodarha, P.S. Dokti, P.O.- Dalan Chhapra, District- Ballia (U.P.).
2. Ram Bilash Prasad S/o Late Jaigovin Prasad R/o Village Babu ke Dera, P.S.- Dokti, P.O.- Dalan Chhapra, District- Ballia (U.P.).

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Director, Higher Education, Bihar, Patna.
4. The District Development Commissioner, Bhojpur at Ara.
5. The Deputy Development Commissioner-cum- Chief Executive Officer District Council, Bhojpur at Ara.
6. The District Magistrate Bhojpur at Ara.
7. The District Program Officer, (S.S.A. and Establishment) Bhojpur at Ara.
8. The District Education Officer Bhojpur at Ara.
9. The Headmaster, High School, Khawaspur Bhojpur at Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 13-08-2019

The petitioners were re-employed after superannuation. He continuously worked from 9.7.2012 to 5.12.2015 but salary has not been paid to the petitioner.

Learned counsel appearing on behalf of the petitioners would submit that taking work and denying salary would amount to Begari and the Begari is violative of Article 23 of the Constitution.



Considering the aforesaid, the writ petition is disposed with the direction to the District Programme Officer (SSA & Establishment), Bhojpur at Ara, respondent No. 7 to verify the record and if it is found that the petitioners were re-employed after superannuation and they have worked for the period they are claiming salary, he is under obligation to ensure payment of salary for the period the petitioners have actually worked. Necessary decision in this regard must be taken by the respondents 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)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.08.2019
Transmission Date	NA

