

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3949 of 2018

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Raushan Jahan Wife of Julfikar Alam @ Daughter of Md. Jais, Resident of Village- Pokhra Sheikh Toli, P.O.- Talwa Pokhar, P.S.- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The District Magistrate Motihari, District- East Champaran.
4. The District Education Officer, Motihari, District- East Champaran.
5. The District Programme Officer Establishment, Motihari, District- East Champaran.
6. The District Programme Officer Saksharta Motihari, District- East Champaran.
7. The Block Education Extension Officer Kotwa, District- East Champaran.
8. The Headmaster, Rajkiya Prathmik School Pokhra Sheikh Toli Urdu, Block- Kotwa, District- East Champ

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate
For the Respondent/s : Mr. Jitendra Kr. Roy No-1, S.C. 13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 18-07-2019 Heard learned counsel for the petitioner and learned counsel appearing for the respondent State.

The petitioner is aggrieved by the action of the respondents for non-payment of his remuneration for the period he has worked as Shiksha Swayam Sewak Rajkiya Prathmik School, Pokhra Sheikh Toli Urdu, Block Kotwa, East Champaran.

Learned counsel for the respondents would submit



that the respondents have stopped payment of remuneration to the petitioner, as the appointment of the petitioner is illegal.

Taking work and denying salary is illegal and arbitrary, which is not permissible in our Constitutional system. The services of the petitioner has not been dispensed as yet.

Under the aforesaid circumstances, the present writ application is disposed of with a direction to the respondents to ensure the payment of remuneration of the petitioner for the period she has worked. Necessary decision with regard to the payment of remuneration shall 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 present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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