

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7408 of 2017

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Rohit Kumar son of Sri Vijay Chourasiya resident of village - Uttar Bazar,
P.O./P.S. - Warsaliganj, District - Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department,
Bihar, Patna.
2. The District Magistrate, Munger.
3. The District Education Officer, Munger.
4. The District Programme Officer Establishment, Munger.
5. The Block Education Officer, Munger.
6. The Panchayat Sachiv, Gram Panchayat Raj, Patan Western, P.S. - Naya
Ram Nagar, Block - Jamalpur, D
7. The In charge Head Master, Primary School, Lohcha, Bind Toli, Patna, P.S. -
Naya Ram Nagar, Distric Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sidhendra Narayan Singh
For the Respondent/s : Mr.Madanjit Kumar- Gp20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 25-07-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The grievance of the petitioner is non payment of
salary for the period of December 2014 to till date.

Learned counsel for the petitioner submits that the
petitioner was validly appointed and he is Assistant Teacher
after passing TET Examination.

Learned counsel appearing on behalf of petitioner
submits that petitioner has worked as Panchayat Teacher but



petitioner has not been paid salary for aforesaid period. The issue requires factual enquiry. Taking work and denying salary is not permissible as it would amount to beggary. However, the issue of payment of salary requires scrutiny of facts, firstly the enquiry as to the validity of the appointment, secondly, the issue as to actual working. This factual enquiry is within the domain of the District Programme Officer (Establishment), Munger.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Munger to verify the record to ascertain the validity of the appointment of the petitioner and the claim of working and decide the claim of the petitioner for payment of salary within a period of 60 days from the date of receipt/production of copy of this order.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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