

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14795 of 2017**

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Sabita Kumari Wife of Dwijendra Kumar Singh @ Chunnu Singh Residing at  
North of Gandhi Maidan, Nai Basti, Siwan, P.O. P.S.District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Siwan.
2. The District Education Officer, Siwan.
3. The District Programme Officer Establishment, Siwan.
4. The Block Education Officer, Panchrukhi, P.S. Panchrukhi, District Siwan.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Bipin Bihari Singh  
For the Respondent/s : Mr. Jitendra Kr. Roy No-1, SC-13

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

4      05-09-2019                      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 July, 2015 to till date.

Learned counsel appearing on behalf of petitioner  
submits that petitioner have 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), Siwan.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Siwan to verify the record to ascertain the validity of the appointment of the petitioner 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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