

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19364 of 2017

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Md. Ehsanul Haque Son of Sheikh Afiruddin Ahmed, Resident of village-
Chaundi, Police Station- Barsoi, District- Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Katihar.
4. The District Programme Office Establishment, Katihar.
5. The Drawing and Disbursing Officer, Kanya Madhya Vidyalaya, Barsoi
Barar, Police Station- Barsoi, District- Katihar.
6. The Treasury Officer, Katihar.
7. The Block Education Officer at Balrampur, Police Station- Balrampur,
District- Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh, Advocate
For the Respondent/s : Mr.Ram Vinay Pd. Singh, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 08-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ
petition is non-payment of salary for 12 days and stoppage of
increment.

Learned counsel appearing on behalf of the petitioner
admits that in a criminal case the petitioner was taken to judicial
custody and he remained in custody for three days but instead of
3 days the salary for 12 days was not paid. He further submits
that the petitioner has been exonerated in the criminal case yet



the petitioner has not been paid salary for the period he was not in judicial custody and increment has been stopped.

Considering the nature of issue raised in the present writ petition, the Court deem it fit and proper to dispose of the writ petition with a direction to the District Programme Officer (Establishment) , Katihar to examine the record and if it is found that on release from judicial custody the petitioner was paid not paid salary, he shall take appropriate decision with regard to the period beyond judicial custody for payment of salary and also consider the entitlement of the petitioner for grant of increment. Necessary decision in this regard must be taken by the respondent- District Programme Officer (Establishment), Katihar within a maximum period of 60 days from the date of receipt/production of a copy of this order. Thereafter, he is under obligation to ensure payment of anything admitted by the respondents within a further period of sixty days.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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