

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20442 of 2019

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Jyoti Kumar, Son of Late Gopal Prasad, Resident of Mohalla-Jariyo Jamo
Line Ki Gali, P.S. Khajekala, Patna City, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Special Director (Secondary Education), Government of Bihar, Patna.
4. The District Programme Officer (Establishment), District-Patna.
5. The District Education Officer, Patna.
6. The Chairman, Bihar Sanskrit Siksha Board, Patna.
7. The Secretary, Bihar Sanskrit Siksha Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sri Kant Pandey, Advocate
For the Respondent/s	:	Mr. Prabhat Ranjan Singh, AC to AAG-15
For the Board	:	Mr. S.S. Sundaram, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 15-10-2019 Heard learned counsel for the petitioner and the

counsel for the State and counsel appearing on behalf of the

Board.

The grievance of the petitioner is non-payment of
difference of salary for the period from 01.04.1980 to
31.03.1999.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has worked as Clerk in Ram Nath Balika
Sanskrit High School Komasi Koh, Patna City. 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), Patna.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Patna 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 a copy of this order.

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

(Anil Kumar Upadhyay, J)

T.Kr./-

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