

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20167 of 2019

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Manoj Kumar, Son of Shri Sitaram Singh, Resident of Village- Benucha, P.S.- Karandey, District- Sheikhpura, At Present Posted as Assistant Teacher in Primary School, Bengucha, Gram Panchayat- Bengucha, Block- Chewara, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education (Primary Education), Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Education (Primary Education), Government of Bihar, New Secretariat, Patna.
3. The Director, Department of Education, Government of Bihar, New Secretariat, Patna.
4. The District Magistrate, Sheikhpura.
5. The District Education Officer, Sheikhpura.
6. The Block Education Officer, Block- Chewara, District- Sheikhpura.
7. The Head Master, Primary School, Bengucha, District- Sheikhpura.
8. The District Teachers Appointment Appellate Tribunal, District- Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (SC-16)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-10-2019 Heard learned counsel for the petitioner and the respondents.

The grievance of the petitioner in the present writ application is non-payment of salary.

Learned counsel for the petitioner submits that the in terms of the order of the District Teacher Appellate Tribunal, Sheikhpura, the petitioner is continuing in service, yet he has not been paid salary since February, 2011.

The aforesaid issue requires factual enquiry.



Accordingly, the writ application is disposed of with a direction to the District Programme Officer (Establishment), Sheikhpura to take appropriate decision with regard to the claim of the petitioner for payment of salary after verification of the record. The District Programme Officer (Establishment), Sheikhpura shall verify the legality and validity of the appointment of the petitioner and also to verify the actual period of working of the petitioner and on satisfaction as to the legality and validity of the appointment and actual working of the petitioner, the respondent District Programme Officer (Establishment), Sheikhpura shall pass appropriate order for payment of salary.

Necessary decision in this regard may be taken by the respondent District Programme Officer (Establishment), Sheikhpura at the earliest preferably within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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