

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20222 of 2019

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Sharda Kumari @ Sharada Kumari Wife of Sri Shailesh Kumar, Resident of
Shanti Nagar, Lalganj Chandi, P.S.- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar,
New Secretariat, Patna.
2. The District Education Officer, Nalanda.
3. The District Programme Officer (Establishment), Nalanda.
4. The Block Education Officer, Tharthari, District- Nalanda.
5. The Headmaster, N.P.S., Bhatu Bigha, Anchal- Tharthari, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh
For the Respondent/s : Mr.Madhaw Pd. Yadaw (Gp23)

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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
counsel appearing on behalf of the State.

The grievance of the petitioner is non payment of
salary for the period of July, 2012 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), Nalanda.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Nalanda 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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