

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12409 of 2018

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Meghu Rajbanshi Son of Late Natho Rajbanshi Resident of Village -
Chaugawan, P.S. - Sirdalla, District - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Nawada, District Nawada.
3. The District Superintendent of Education, Nawada.
4. The Officer on Special Duty, the Bihar Education Project, District - Nawada.
5. The District Education Officer, Nawada, District - Nawada.
6. The District Programme Officer Nawada, District - Nawada.
7. The Block Education Extension Officer, Sirdalla, District - Nawada.
8. The Area Education Officer, Sirdalla, District - Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Dr. Alok Kumar Alok, Adv. Mr. Man Mohan Kumar, Adv.
For the Respondent/s	:	Mr. Rakesh Kumar Singh, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The only issue involved in the present application is
non-payment of salary of the petitioner for the period i.e.
01.04.2014 to 28.04.2014, 10.07.2014 to 30.06.2015 and
01.07.2015 to 29.02.2016.

Learned counsel appearing on behalf of petitioner
submits that petitioner has worked as Panchayat Shikshak but
petitioner has not been paid salary for the aforesaid period. The
issue requires factual enquiry. Taking work and continuing



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 factually enquiry is within the domain of the District Programme Officer (Establishment), Nawada.

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