

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24661 of 2019

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Shashi Kant Sharma son of Gayanand Sharma resident of Village Repura,
P.O. Baijnathpur, P.S. Sitamarhi, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. Regional Deputy Director of Education Magadh Division, Gaya.
4. The District Magistrate, Nawada.
5. The District Education Officer, Nawada.
6. The District Programme Officer (Establishment) Nawada.
7. The Dist. Education Superintendent, Nawada.
8. District Education Extension Officer, Nawada.
9. Block Education Officer, Block Hasua P.S. Hasua, District Nawada.
10. The Head- Master cum Drawing and Disbursing Officer, Middle School Hasua, District Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akhileshwar Dayal, Adv.
For the Respondent/s : Mr.Smt.Shilpa Singh (Ga12)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-12-2019 Heard both sides.

Petitioner filed this writ petition for a direction to the respondents to make payment of salary to the petitioner from June 2007 till August 2012 with interest thereon.

It appears that the petitioner earlier filed C.W.J.C. No.10282 of 2009 that since June 2007 his salary was not being paid by the Headmaster of Primary School, Ariyan, this court by order dated 15.09.2009 passed in C.W.J.C. No.10282 of 2009



directed the District Superintendent of Education as well as the Block Education Extension Officer, Hisua at Nawada to look into the matter of the petitioner and pass order in accordance with law with regard to the payment of his salary, arrears as well as current salary. In pursuance of the aforesaid order, the District Superintendent of Education by his order dated 25.02.2010 contained in Memo of No.695 (Annexure 3) passed order and held that the petitioner was not present in the school since January 2006 to May 2007 but he withdrew the salary. The District Superintendent of Education further found that the petitioner remained absent from the school from June 2007 till 05.01.2010 and, therefore, he is not entitled to get salary from June 2007 to 05.01.2010. His joining was accepted only on 06.01.2010. The petitioner did not file any representation before the higher authority against the order of District Superintendent of Education, Nawada. The petitioner kept on filing representations before the authority. If the petitioner is aggrieved by the order of the District Superintendent of Education, the petitioner may file representation before the superior authority with the documents showing his presence in the school duly certified by competent authority and on such, the Director, Primary Education shall consider the



representation of the petitioner and pass order in accordance with law.

With the aforesaid observations, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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