

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25348 of 2019

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Arati Kumari Daughter of Sri Narmadeshwar Pathak Resident of mohalla-Shastri Nagar, Bara Chakiya, P.O. and P.S.- Barachakiya, District-Vaishali, presently posted as Assistant Teacher in the Upgrade Middle School, Balua Basanta, Lalganj, Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
2. Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
3. Collector-cum- District Magistrate Vaishali at Hajipur.
4. District Programme Officer (DPO) Establishment Vaishali at Hajipur.
5. District Education Officer (DEO) Vaishali at Hajipur.
6. Block Development Officer (BDO) Lalganj, Vaishali.
7. Block Education Officer (BEO) Lalganj, Vaishali.
8. Head Master Upgrade Middle School (UMS), Balua Basanta, Lalganj, Vaishali.
9. Pramukh Lalganj Block, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Prasad Bhartee, Advocate
For the Respondent/s : Mr.S.K.Ranjan, AC to GP 17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-12-2019 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

In the instant writ petition under Article 226 of the

Constitution of India, the petitioner has prayed for payment of

arrears of salary since September, 2018 till date and for

payment of current salary.

In the matter of payment of salary, the respondents



are required to ascertain the validity of appointment of the petitioner and if it is found that the petitioner has validly been appointed and has actually worked for the period he is claiming salary, there is no reason to deny salary to him.

The writ petition is disposed of a direction to the respondent- District Programme Officer (Establishment) Vaishali at Hajipur to verify the records and ascertain the validity of appointment of the petitioner and if it is found that the petitioner has performed his duty continuously, after his valid appointment, District Programme Officer (Establishment) Vaishali at Hajipur shall pass appropriate order with regard to payment of salary for the period in question at the earliest preferably within a period of three months. If otherwise he proposes to pass any adverse order, he shall pass reasoned and speaking order within the aforesaid period.

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

(Anil Kumar Upadhyay, J)

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