

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11422 of 2018

=====

Madhu Kumari Wife of Sri Binay Raut, Serving as Principal Project Shyamata Devi Kanya² Uchch Madhyamik Dhanarua, Patna- 804451 and residing at 506 Vishal Apartment, Bari Path P.O. Mahendru, District Patna- 800006.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commisisoner, Ministry of Human Resources Development Department, Government of Bihar, Patna- 80
3. The Director, Govt. of Bihar, Secondary Education, Budh Marg, Patna- 800001.
4. The District Education Officer, Patna- 800004.
5. Sri Arun Kumar Ex- District Education Officer, Presently residing at Shyamata Bhawan Shiv Panch Man
6. Sri Jyoti Kumar, District Education Officer, Patna- 800004.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Surya Kant Singh
For the Respondent/s : Mr.Jitendra Kr. Roy No. 1- Sc13

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 28-02-2020 Heard learned counsel for the petitioner and the respondents.

Having regard to the fact that the petitioner was not allowed to join on account of status quo order, qua the incharge headmaster, in the Project School where the petitioner was posted on her appointment, the Court is of the considered view that no work, no pay is not attracted.

The principle of no work no pay is attracted only in a situation where the incumbent has voluntarily not worked.



Considering the aforesaid, the writ application is disposed of with a direction to the respondents to ensure payment of salary for the period, the petitioner was not allowed to join on account of status quo i.e. 05.07.2014 to 21.10.2014. The payment for the aforesaid period must be paid to the petitioner within a maximum period of 30 days from the date of receipt/production of a copy of this order, failing which the District Education Officer, Patna is required to pay interest at the rate of 9% per annum from the date of its accrual till the date of actual payment from his own pocket.

(Anil Kumar Upadhyay, J)

uday/-

U			
---	--	--	--

