

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19596 of 2015

-
-
1. Md. Mafhoom Rabbani and Anr son of late Md. Rabbani, resident of village and P.O.- Ugawan , P.S. Asthawan, District- Nalanda.
 2. Razdan Tabassum daughter of S.G. Mushtafa, resident of Village- Ugawan, P.S. Asthawan, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department Bihar, Patna.
3. The District Education Officer Nalanda at Bihar Sharif.
4. The District Programme Officer Establishment Nalanda at Bihar Sharif.
5. The Managing Committee of Madarsa Fasihul Uloom at and P.O. Ugawan, District-Nalanda through its Se

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Obaidur Rahman, Advocate
For the Respondent/s : Mr. Roy Shivajee Nath, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 13-02-2020 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The grievance of the petitioners is non payment of
arrears salary and current salary.

In this case a counter affidavit has been filed on
behalf of Special Director of Education Department. Para 8 to
12 of the counter affidavit is quoted below for ready reference:-

“8. That since the matter pertains to the
District Education Officer as well as District
Programme Officer, (Establishment) Nalanda and
hence the Special Director, Secondary Education



vide his letter No. 106 dated 31.01.2019 has been directed to look into the grievance of the petitioner and ensure filing of the counter affidavit, a copy whereof be made available to the Special Director, Secondary Education for the needful.

9. That it is relevant to state here that the Special Director, Secondary Education also instructed the District Education Officer, Nalanda on telephone on 19.07.2019 to look into the grievance of the petitioners and to ensure filing of counter affidavit in this Hon'ble Court.

10. That the Special Director, Secondary Education also sent a reminder vide letter No. 806 dated 23.07.2019 addressed to the District Education Officer, Nalanda as well as District Programme Officer (Establishment), Nalanda to do the needful and to make available a copy of the Counter Affidavit to the Department.

11. That it would not be out of place to mention here that the answering respondent has again directed the District Education Officer concerned on telephone on 24.09.2019 to look into the grievance of the petitioner in accordance with law and to ensuring of filing of counter affidavit.

12. That it is humbly stated that as soon as necessary information is received from the ends of concerned District Education Officer and District Programme Officer (Establishment) Nalanda, the same would be brought to the notice of the Hon'ble Court for proper appreciation



in/adjudication of the matter in its correct perspective.”

From the affidavit filed by the Special Director, it appears that the matter is pending at the level of the District Education Officer, Nalanda/District Programme Officer (Establishment), Nalanda.

Accordingly, they are directed to take appropriate decision on the claim of the petitioners for payment of salary within a maximum period of 60 days from the date of receipt/production of copy of this order and ensure payment thereof within the period mentioned above.

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

(Anil Kumar Upadhyay, J)

mdrashid/Rahul

U			
---	--	--	--

