

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22389 of 2019

Om Prakash Thakur, son of Prabhu Thakur, resident of Village Najari, P.S. Luxmipur, District Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
2. The District Magistrate, Jamui.
3. The District Education Officer, Jamui.
4. The District Programme Officer, Establishment (Education) Jamui.
5. The Block Development Officer, Lakshmipur Block, District- Jamui.
6. The Block Education Officer, Luxmipur Block, P.S.- Luxmipur, District- Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the Respondent/s : Mr. Jitenra Kumar Roy1 (SC-13)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-01-2020 The petitioner, who is a Block Teacher posted at upgraded School, Bichala Sakal, Lakshmipur in the district of Jamui has approached this Court for a direction to the respondents to pay his salary, including the arrears, which has been stopped by the District Programme Officer, Establishment (Education)/ respondent No. 4.

From the records, it appears that by letter dated 12.10.2019 passed by the District Programme



Officer, Establishment (Education), Jamui, the petitioner has been informed that he was unauthorizedly absent from 17.12.2012 to 03.09.2013 and from 20.03.2017 to 31.07.2017 without any intimation to the Institution. This was found out when an inspection was made of the school by the District Programme Officer.

The petitioner therefore has been issued a show-cause notice to explain as to why he be not removed from service for remaining absent without any valid reason.

The learned counsel for the petitioner has submitted and has also shown to this Court that pursuant to the aforesaid show-cause notice, the petitioner has already replied and has given his reasons for his absence. However, no final decision, as yet has been taken on the aforesaid show-cause reply but the salary of the petitioner has been stopped.

Thus, this Court deems it appropriate to direct the District Programme Officer, Establishment



(Education), Jamui/respondent No. 4 to conclude the proceedings and pass an order without any delay. If the explanation of the petitioner is accepted, necessary orders shall be passed for payment of his salary. If the explanation is not accepted, the authority/concerned respondent shall have the liberty to proceed against the petitioner in accordance with law in that regard. The whole exercise must be completed within a period of three months from the date of production/receipt of a copy of this order.

The writ petition stands disposed off with the aforesaid observation/direction.

(Ashutosh Kumar, J)

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