

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22650 of 2019

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1. Hira Singh, son of late Badri Singh, resident of village- Sonai, P.S. Khirhar, District- Madhubani.
 2. Munni Kumari, wife of Mahesh Chandra Paswan, Resident of Village- Bangra, P.S. Saharghat, District- Madhubani.
 3. Rajesh Kumar, son of Rajdeo Yadav, Resident of Village- Kamtoul (Pachgachhiya), P.S. Harlakhi, District- Madhubani.
 4. Ranjeet Kumar, son of Shri Narayan Mehta, Resident of Village- Tengaraha, P.S. Bheja, District- Madhubani.
 5. Pushpa Kumari, Akhilesh Kumar Singh, Resident of Village- Sonai, P.S.- Khirhar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Education Officer, Madhubani.
5. The District Programme Officer (Establishment), Madhubani.
6. The Block Education Officer, Madhwapur, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Respondent/s : Mr. Ranjan Kumar, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 04-02-2020

The petitioners, who are Panchayat teachers in



Primary Schools of different Panchayats in the district of Madhubani, have approached this Court for a direction to the concerned respondents for payment of their current salary which has unnecessarily been withheld from April, 2019 till date.

2. No reason could be found by the petitioners for such non-payment of salary except irregular functioning of the Head-Masters of such schools in sending the attendance report for the salaries to be paid to them in time.

3. Several representations have been preferred by the petitioners before the District Education Officer, Madhubani, but they have not been adverted to and since no order has been passed on such representations, the petitioners have come to the conclusion that their representations have been completely ignored.

4. This Court, on finding that there is no plausible reason for withholding the salaries of the petitioners, directs that in the event of the petitioners making a suitable representation before the District Programme Officer (Estab.), Madhubani within a period of



three weeks, the concerned respondent shall look into the matter, verify the facts, identify the reasons for non-payment of the salaries and on being satisfied that the claim of the petitioners is tenable shall pass/cause to be passed necessary orders in that regard within a further period of four weeks thereafter.

5. If the salaries of the petitioners are withheld without any reason and no order is passed for resumption of the same within the aforesaid stipulated period, it would be open for the petitioners to approach this Court, when in that case this Court would consider the requirement of identifying the reason for such non-payment of salaries to the petitioners and fixing the responsibility on the concerned person.

6. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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