

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.422 of 2020**

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1. Kumari Niharika D/o Shree Shivchandra Pd. Yadav Resident of Village and P.O.- Simri- Bakhtiyarpur, P.S.- Saharsa Town, District- Saharsa.
  2. Manoj Kumar S/o- Shree Shyamsunder Yadav Resident of Village- Saskhua, P.O.- Saskhua Market, P.S.- Saharsa Town, District- Saharsa.
  3. Poonam Kumari D/o Bindeshwari Sharma Resident of Village -Asaraf chak, P.O.- Simri- Bakhtiyarpur, P.S.- Saharsa Town, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. The Director Primary Education, Govt. of Bihar, Patna.
4. The District Magistrate Saharsa.
5. The District Education Officer Saharsa.
6. The District Superintendent of Education Saharsa.
7. The District Programme Officer (Establishment) Saharsa.
8. The Block Development Officer Simri-Bakhtiyarpur, Saharsa.
9. The Block Education Extension Officer Simri-Bakhtiyarpur, Saharsa.
10. The Gram Panchayat Muhamdpur, Block- Simri-Bakhtiyarpur, Saharsa.
11. The Panchayat Secretary Gram Panchayat, Muhamdpur, Block- Simri-Bakhtiyarpur, Saharsa.
12. The Head Master Primary School @ Utkarmit Middle School, Bhavdeva, Muhamdpur, Block- Simri-Bakhtiyarpur, Saharsa.
13. The Mukhiya Gram Panchayat, Muhamdpur, Block- Simri-Bakhtiyarpur, Saharsa.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Parth Gaurav  
For the Respondent/s : Mr.Madanjeet Kumar (Gp20)

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      14-02-2020                      Heard learned counsel for the petitioners and the  
  
State.

The petitioners are aggrieved by inaction on the part  
of the respondents in the matter of payment of salary.

No work is gratuitous. Begaari, in any form, is  
prohibited under the Constitutional mandate, yet the respondents



have not paid salary to the petitioners.

Learned counsel for the petitioners submits that the appointment of the petitioners are legal and valid and the petitioners are regular working yet they have not been paid even a single farthing.

Considering the aforesaid, the writ petition disposed of with a direction to District Programme Officer Establishment, Saharsa to verify the record to ascertain the genuineness of the appointment and also the claim of the petitioners that they have been regularly working and on verification of the same the District Programme Officer shall pass appropriate order with regard to the payment of salary for the period the petitioners have actually worked. Necessary decision as to entitlement of the petitioners as well as consequential relief in the nature of payment thereof must be taken by the respondents within a maximum period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

spandey/-

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