

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3809 of 2020

1. Manoj Kumar Yadav, S/o Shri Banwari Yadav, Aged About 23 Years, Working As Part Time Sweeper At Govt. Primary School Uraonpara (Baroudhi) Block- Bhaiyathan, District : Surajpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through - The Secretary, Department Of School Education Mahanadi Bhawan, New Raipur, District : Raipur, Chhattisgarh
2. Assistant Commissioner Tribal Development - Surajpur, District : Surajpur, Chhattisgarh
3. The District Education Officer, Surajpur, District : Surajpur, Chhattisgarh
4. Block Education Officer, Bhaiyathan, District : Surajpur, Chhattisgarh
5. Headmaster, Govt. Primary School, Uraonpara (Baroudhi) Block- Bhaiyathan, District : Surajpur, Chhattisgarh

----- Respondents

For Petitioner	:	None.
For State	:	Ms. Akansha Jain, Dy Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19.11.2020

1. The grievance of the petitioner in the present writ petition seems to be the inaction on the part of the respondents in not releasing the salary payable to the petitioner since August, 2019 till date that is the date on which writ petition was filed and may be even thereafter.
2. Today when the matter is taken up, the State counsel submits that she has received instruction from the concerned authorities having released the salary from the period between December, 2019 to April 2020 and

the salary part has been deposited in the bank account of the petitioner but she does not have details of the salary part for the aforementioned period for the amount deposited in the petitioner's account.

3. Given the said fact that the respondents have now cleared the salary part from December 2019 to April 2020. The only issue now left is whether the petitioner would be entitled for the salary from 16.08.2019 till December 2020 and from May 2020 onwards. The said aspect is one which needs verification by the concerned authorities. That only for this limited grievance of the petitioner, the writ petition need not be kept pending, the writ petition can be disposed off directing the respondents to consider the claim of the petitioner; so far as his salary part is concerned at the earliest, preferably within a period of forty five days from the date of receipt of copy of this Order.
4. If the petitioner has discharged his duties and has performed the work assigned to him during the aforesaid period from August 2019 to December, 2019 and also from May 2020 onwards till date, there is no reason why the petitioner should not be paid the salary payable to him subject to verification of the facts as regards whether the petitioner has discharged his duties or not. The respondents shall after due verification clear the dues payable to the petitioner at the earliest within the period as mentioned above.
5. The present writ petition, accordingly stands disposed off.

**Sd/-
(P. Sam Koshy)
Judge**