

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20610 of 2018

=====

Amit Kumar Gupta Son of Bhriugu Nath Sah Resident of Village-Sakhe Khas,
Police Station Uchkagaon, District-Gopalganj

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors.
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The District Education Officer, Gopalganj
5. The District Programme Officer Establishment Education, Gopalganj
6. The Block Development Officer-cum-Member Secretary, Block Teacher Employment Unit, Uchkagaon, Gopal
7. The Block Education Officer, Uchkagaon, Gopalganj

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Baidyanath Thakur, Adv. Mr. Avinash Kumar, Adv.
For the State	:	Mr. Mrigendra Kumar, AC to GP 20

=====

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 18-10-2022 1. Learned counsel for the respondent submits that the salary has not been paid to the petitioner as the petitioner has not obtained 60 per cent minimum marks in the C.T.E.T. which is essential.

2. However, the reply does not state as to what further steps have been taken relating to continuance of appointment of the petitioner. The petitioner is found to have been working on the post. If the petitioner working on the post he/she will have to be paid salary and begar cannot be allowed in terms of Article



23(1) of the Constitution.

3. In view thereof, it is directed that the petitioner if being allowed to work, shall be paid salary.

4. However, the respondent shall be free to take steps as required for the petitioner to possess the requisite qualification under the rules.

5. The writ petition is allowed accordingly.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 35

U			
---	--	--	--

