

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2588 of 2022

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The State of Bihar through the District Programme Officer, Establishment Bhagalpur namely Chandan Kumar, Male, aged about 36 years, Son of Prabhu Narayan Rajak, Resident of At and P.O. - Kalarampur, P.S. - Muffassil, District - Munger, Bihar.

... .. Petitioner

Versus

1. Dulari Kumari Daughter of Ramdeo Paswan, Resident of Village and P.O. - Farka, P.S. Sabaur, District - Bhagalpur.
2. Dilip Kumar, Son of Sahdeo Prasad Mandal, Resident of Village - Sheikhpura, P.O. - Harnathpur, P.S. - Sabaur, District - Bhagalpur.
3. Rajesh Kumar, Son of Deep Narayan Mandal, Resident of Village - Gopalpur, Krishnapuri Colony, P.S. - Zeromile, District - Bhagalpur.
4. Dayanand Kumar, Son of Sachchidanand Yadav, Resident of Village - Mirzapur, P.S. - Sabaur, District - Bhagalpur.
5. Ajay Kumar, Son of Yamuna Prasad Singh, Resident of Village - Khankitta, P.S. - Sabaur, District - Bhagalpur.
6. The Block Development Officer, Goradih, Bhagalpur.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Upadhyay
For the Respondent/s : Mr. Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

2 08-03-2022 The case is being taken up from defect side.

Learned counsel for the petitioner is directed to submit the original petition along with attested affidavits and also remove the defects pointed out by the Registry within two weeks from today.

Learned counsel for the petitioner after sometime prays to withdraw the writ petition. It is noticed that the salary of the teachers could not be released since 2015 i.e. the date



from which one of them has joined. It is expected from the State Authority to release the salary of teachers, who are working. Any action of non-payment of salary while taking work from the employees would violate Article 23 of the Constitution of India. The State Functionary cannot be allowed to take work without paying salary.

The writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

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