

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4122 of 2023

1. Babli Kumari Daughter of Anil Sharma, Wife of Madan Mohan, Resident of Kaptiya, Police Station - Nalanda, District - Nalanda. At present residing at Nalanda Mod Kul, Nalanda.
2. Surya Prakash, Son of Vidyanand Singh, Resident of Village - Fatehpur, Police Station and District - Nalanda.
3. Hemlata Kumari, Daughter of Raj Kumar Prasad, Wife of Dharendra Kumar, Resident of Mohalla - Chhoti Paharai, Police Station - Sohsarai, District - Nalanda.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Bihar, Patna.
2. The Principal Secretary, Human Resources Department, Bihar, Patna.
3. The Director Primary Education Department, Govt. of Bihar, Patna.
4. The District Magistrate, Nalanda, District - Nalanda.
5. The District Education Officer, Nalanda, District - Nalanda.
6. The District Programme Officer, (Establishment) Nalanda, District - Nalanda.
7. The Block Education Officer, Silao, Block - Silao, Police Station - Silao, District - Nalanda.
8. The Block Education Officer, Sarmera, Police Station - Sarmera, District - Nalanda.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate
For the Respondent/s : Mr. Kameshwar Kumar, G.P.-17

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-01-2024 Heard the parties.

1. The petitioners have approached this Court for a direction to the respondent authorities to pay the monthly salary along with arrears of salary to the petitioners who have been working on the post of Panchayat Teacher at Primary School Ghostawan (Mushahari), Gram Panchayat, Mushahari, District Nalanda.

2. Learned counsel for the petitioners submits that



petitioner were duly appointed on the post of Panchayat Teacher starting from the year 2013 to 2015 and they have been discharging their duties as Panchayat Teacher satisfactorily. He next submits that petitioners have not been paid their salaries since the date of joining.

3. Learned counsel for the State, referring to the counter affidavit, submits that a complaint was made by the higher authority regarding the illegality in the appointment of Panchayat Teacher in the Nalanda District and in pursuance thereof the concerned authority has issued direction for vigilance inquiry of the appointments made as Panchayat Teachers during first, second and third stages of appointment. The vigilance has sent the report that educational certificate of some teachers have been found false. The department has withheld their salary along with all those teachers who have been directed to submit their certificates before the vigilance. The salary of the petitioners have been withheld, awaiting the vigilance report. He further submits that the concerned authority shall consider the claim for payment of salary of the petitioners after submission of the vigilance report. He further submits that the certificate of the petitioner no. 3 has been found forged and she has been terminated by the concerned employment unit vide letter dated 14.06.2023.

4. Having heard learned counsel for the parties and taking into considerations the fact that genuinity of the educational certificates of the petitioner nos. 1 and 2, is pending before the Vigilance Department, I deem it fit and proper to direct the



respondent authorities to obtain the report from the Vigilance Department, expeditiously, regarding the validity of certificates of the petitioners no. 1 and 2 and take a decision, based upon the report of the Vigilance Department, for payment of salary to petitioners no. 1 and 2, at the earliest.

5. In so far as the claim of payment of petitioner no. 3 is concerned, since the Vigilance Department has found the educational certificate of petitioner no.3 as forged and fabricated, accordingly, this Court is not in a position to direct for payment of salary to petitioner no.3 and her writ application is dismissed.

6. This writ application is disposed with the aforesaid direction/ observation.

(Anil Kumar Sinha, J)

shweta/-

U			
---	--	--	--

