

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6476 of 2023

=====

Dharmendra Saw Son of Nagina Saw, Resident of village Upraili Pakri, P.S. -
Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, (Secondary Education Department of Human Resources Development, Government of Bihar, Patna.
2. The Secretary Department of Education, Government of Bihar, Patna.
3. The Deputy Secretary, Department of Education, Government of Bihar, Patna.
4. The District Magistrate, Jamui.
5. The District Education Officer, Jamui.
6. The Headmaster, High School (Plus 2) Post - Khaira, District - Jamui.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Respondent/s : Mr. Kameshwar Kumar, GP-17

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-01-2025 Heard learned counsel for the parties.

2. The present writ application is filed for an appropriate writ/writs, order/orders, direction/directions to commanding to the respondent to take an appropriate steps and accordingly ensure for payment of honorarium to the petitioner which is still due and pending from 01.03.2016 to till date.

3. Learned counsel for the petitioner submits that the petitioner is working as Night Guard in concerned school, but till date, no payment was made to the petitioner.

4. A counter affidavit has been filed on behalf of respondent no.



5 in which in paragraph no. 9, it is, inter alia, stated that In-charge Headmaster, +2 High School, Khaira has submitted his report vide letter no. 62 dated 25.05.2023 stating that there is no documents relating to engagement of petitioner as Night Guard were available in the school record. The In-Charge Headmaster of the said school never issued certificate for working as Night Guard in the school since 01.03.2016. It is also stated that the honorarium was never paid to the petitioner from the school fund.

6. Considering the aforementioned facts and having heard the parties, I will not pass a positive order in favour of the petitioner. However, petitioner is directed to file a representation before the District Magistrate (respondent no.4) within four weeks and respondent no. 4 is well advised to consider the case of the petitioner after hearing the parties and pass a reasoned and speaking order in accordance with law within six weeks thereafter.

7. With the aforesaid direction, this writ petition is disposed of.

(Anjani Kumar Sharan, J)

priyanka/-

U			
---	--	--	--

