
(2010) 04 JH CK 0006
In the Jharkhand High Court

Md. Nazir Ansari	Vs	APPELLANT
The State of Jharkhand and Others		RESPONDENT

Date of Decision : 13-04-2010

Acts Referred:

Citation : (2010) 04 JH CK 0006

Hon'ble Judges : Amareshwar Sahay, J

Bench : Single Bench

Judgement

Amareshwar Sahay, J.—Heard.

2. From the pleadings of the parties, it appears that it is not disputed that the petitioner was working as an Assistant Teacher in Bangla Kanya

Madhya Vidyalaya, Pakur and his salary for the period from January 1999 was not paid till he worked in the said school.

3. According to the respondents, the initial appointment of the petitioner was itself illegal because at the time he was appointed he was not having valid teachers" training certificate.

4. The Counsel for the petitioner states that Ms appointment was duly approved by the competent authority and in reply to that, the State-Counsel

placed reliance on the rules and guidelines issued by the State Government as contained in Annexure-B/1, wherein it has been stated that unless a.

teacher is having a Training Certificate, his appointment may not be approved and therefore, even it his appointment was approved the same was

in violation of the said rules of the State Government.

5. Be that as it may, the fact remains that there is no dispute that rightly or wrongly the petitioner worked in the said School and bis salary from

January 1999 has not paid to him for one or the other reason and therefore, in my view, since the work was taken from the petitioner for a certain

period and as such, he is held to be entitled to get the salary for the period he worked in Bangla Kanya Madhya Vidyalaya, Pakur.

6. Accordingly, this writ petition is being disposed of by directing the respondent no. 4, District Superintendent of Education, Pakur to take

appropriate action in the matter for payment of the due salary to the petitioner if he has actually worked for the said period. He may write to the

Director, Primary Education, Ranchi to release the necessary fund for payment of the due salary to the petitioner.

7. With the above observations and directions, this writ petition is disposed of.