
(2006) 03 GAU CK 0080
In the Gauhati High Court

Thoidingjam Shanti Devi and Ors.

APPELLANT

Vs

State of Manipur and Anr.

RESPONDENT

Date of Decision : 03-03-2006

Acts Referred:

Citation : (2006) 03 GAU CK 0080

Hon'ble Judges : M.B.K.Singh, J

Bench : Single Bench

Advocate : Y.Nirmolchand, Jalal Uddin, Advocates appearing for Parties

Judgement

1. Heard Mr.Y.Nirmolchand, learned counsel appearing on behalf of the petitioners and Md.Jallaluddin, learned Addl. Govt. Advocate appearing on behalf of the respondents.
2. The petitioners` claim that they are at present serving as teachers in the Department of Education (S) on regular basis and that they are aggrieved due to withholding of their monthly salaries by the authorities with effect from October, 2005 on the ground of pendency of verifications of their service records.
3. As per submission of the learned Addl.GA, not only the case of the petitioners but also in respect of many other teachers, monthly salaries have not been paid due to noncompletion of the ongoing verification of service records of teachers. However, the learned Addl.GA cannot say anything if there is any formal order passed by any competent authority under any provisions of law or statutory rules for withholding monthly salaries of the petitioners.
4. Since there is no any formal order passed by any competent authority under any provisions of law for withholding the monthly salaries of the petitioners, who have apparently been discharging their official duties, withholding of their salaries amounts to deprivation of their livelihood without due process of law. Such actions of the respondents are not warranted by law.
5. In the result, the prayer is allowed. The respondents are directed to take all

the necessary steps so that the petitioners are paid their due salaries within a period of one month from today.

6. True copies of this order be furnished to Mr.Jallaluddin, learned Addl.GA for enabling him to take the necessary steps immediately.

7. With this direction, this writ petition stands disposed of.