

**(2000) 03 PAT CK 0182****Patna High Court****Case No:** C.W.J.C. No. 915 of 1999

Shankar Giri

APPELLANT

Vs

State of Bihar and Others

RESPONDENT

**Date of Decision:** March 10, 2000**Citation:** (2000) 4 PLJR 186**Hon'ble Judges:** S.J. Mukhopadhyaya, J**Bench:** Single Bench**Judgement**

@JUDGMENTTAG-ORDER

S.J. Mukhopadhyaya, J.

The petitioner claims to have been appointed on daily wage on 10th April, 1991 in Project Kanya Uccha Vidyalaya, Narpatganj, Purnia (now Araria) and performing the duties of peon. According to him, he was paid a meager wages @ Rs. 10/- per day, though the minimum wage was Rs. 21.75 ps. per day since June, 1984, vide Order No. 1969 dated 7th August, 1989 and it further raised to Rs. 42.30 ps. per day, vide G.O. No. 1166 dated 30th June, 1996 with effect from 21st December, 1995. The petitioner also claims for Bonus on the basis of such decision of the State.

2. Grievance has been made that the service of the petitioner has been terminated since 6th June, 1996, without any basis.

3. So far as termination of service of petitioner is concerned, he having appointed on daily wage, has not right to continue.

4. In the aforesaid background, I find no reason to interfere with the order of disengagement, which was passed about 3 1/2 years back.

5. If the petitioner is eligible for appointment against Class IV post, may apply in future. In such case, the Respondents will consider his case for appointment, if otherwise found him eligible and if possible, on relaxation of age.

6. So far as back wages and bonus at the minimum rate prescribed by the State are concerned, the petitioner is given liberty to approach the Director, Secondary Education. If any such representation is filed by the petitioner, the Director, Secondary Education will find out as to whether he was engaged and actually performed duties for such period and was paid wages in terms with Government policy decision (minimum wage) or not.

7. On such enquiry, if it is found that the petitioner was not paid minimum wage and Bonus, admitted dues be paid within three months from the date of receipt of such representation.

8. A decision, in this respect, be taken and communicated to the petitioner within the aforesaid period. The writ petition stands disposed of with the aforesaid observations and directions.