

WP(C) No. 652 of 2018

BEFORE

HON'BLE MR. JUSTICE N. KOTISWAR SINGH

31.7.2018

Heard Mr. L. Anand, learned counsel for the petitioner as well as Ms. Sundari, learned GA for the State respondents.

[2] The present petition has been filed by the wife of (L) H. Nishikanta Singh seeking payment of his salary and allowances. Her husband was initially appointed as a Primary Teacher on adhoc basis vide order dated 16th October, 1998 for a period of three months. It has been submitted by the petitioner that the service of her husband had been extended from time to time by issuing various extension orders by the authorities on 4-11-1999, 13-12-1999, 22-5-2000, 26-9-2001, 14-10-2005, 3-8-2006, 2-5-2007, 27-7-2007, 19-3-2008 and 27-11-2010. Mr. L. Anand, learned counsel for the petitioner submits that the service of the petitioner's husband was utilized continuously and formal orders of extensions were issued later on, as also can be seen from the last order dated 27-11-2010 by which his service was extended up to 31-08-2010. However, he continued to serve till 28-9-2013 as certified by the Director, Education (S) as evident from the letter dated 15-7-2017, though no formal extension order was issued.

[3] In view of the above, the present petition is disposed of with the direction to the respondent authorities to examine the

claim of the petitioner for remuneration for the service rendered by her husband.

[4] It goes without saying that, a person who has been appointed by the authorities is entitled to receive such remuneration as provided under rules for the service rendered as non-payment for the service rendered will not be permissible. The authorities will accordingly work out the entitlement of the petitioner after verifying the relevant records, and thereafter, make necessary payment, which exercise shall be undertaken by the respondent authorities within a period of three months from today, failing which, it will carry an interest rate of 6% per annum on the entitled amount due.

JUDGE

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