

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8243 of 2014

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Ram Nandan Prasad Son of Late Nageshwar Prasad Resident of Mohalla-
Janki Prasad Lane, Mundichak, P.S- Tilka Manjhi, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
2. Zila Parishad Bhagalpur through its Chairman.
3. Deputy Development Commissioner, Bhagalpur cum Chief Executive Officer, Zila Parishad, Bhagalpur.
4. Executive Engineer, Local Region (Kshetra), Engineering Organisation work Promandal-1, Bhagalpur.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 20-02-2015 Heard learned counsel for the parties as with

regard to the following relief prayed in this writ

application:-

"Directing the respondents to immediately paid the due salary and other subsequent benefit to petitioner for the deputation period from moth of March 2012 to June 2013 and November 2008, December 2008 and January 2009, February 2009 which was withheld by the respondents without any order, though admitted facts is that petitioner was working on that period and pay the dues three kist of sixth revised pay scale to the petitioner."

Having regard to the fact that there cannot be any justification for withholding the payment of salary of the petitioner specially when the respondent Executive



Engineer, N.R.E.P., has already himself issued Last Pay Certificate (L.P.C) certifying that the petitioner had worked for the period in question, he was entitled for getting the payment of salary from Zila Parishad, this Court will have no difficulty in holding that the Executive Engineer of N.R.E.P., cannot deny payment of salary to the petitioner for the work done by him in N.R.E.P. and fasten his liability to Zila Parishad.

The order of deputation of service of the petitioner from Zila Parishad to the Office of Executive Engineer, N.R.E.P., had itself contained a specific provision for payment of salary by N.R.E.P. and as such this Court would direct the Executive Engineer, N.R.E.P to make payment of the entire admissible salary to the petitioner prayed in this writ application within a period of one month from the date of receipt of this order.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

Ranjan/-

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