

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15008 of 2007

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Tar Mohammad son of Hasim Mian, Residents of Village Guthani, Police Station –
Guthani, Dist. Siwan.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Police Siwan.
4. The Officer-in-charge, Guthani Police Station Siwan.

.... Respondents

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Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate.

For the Respondents : Mr. AC to AAG6

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 05-05-2015

Heard the parties.

Counter affidavit and supplementary counter affidavit

have been filed.

The claim of the petitioner is that he worked on daily wage basis as Chowkidar but was not paid his wage as per the existing rate for the said period.

In the supplementary counter affidavit filed on behalf of the respondents-District Magistrate, Siwan the respondent(s) have stated as under in paragraph no.5:-

“5. That the said report has stated that the petitioner’s name is mentioned in Chaukidari attendance register of the year from 1994 to 1999. It has also been reported that no amount, remuneration etc. from the government has been paid to the petitioner for his duty during the above period.”

The Counsel for the State on the basis of the aforesaid averments states that the petitioner may be entitled to his legal wage(s) for those periods.

Having heard the parties, the writ application is disposed of by directing the respondents, particularly, the respondent— District Magistrate, Siwan to sanction and pay lawful dues of the petitioner for the number of days he discharged duty during the period 1994-1999 after verification of the records, as quickly as possible preferably within a period of two months from the date of receipt/production of a copy of this order.

(Kishore Kumar Mandal, J)

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