

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16768 of 2008

=====

Shiban Jha, son of Late Sukeshwar Jha, resident of village Pakri Kothi, P.S.
Mejarganj, District Sitamarhi

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Sitamarhi
3. The Sub-Divisional Officer, Sitamarhi Sadar
4. The Superintendent of Police, Sitamarhi
5. The Officer Incharge, Mejarganj Thana, Sitamarhi
6. The Treasury Officer, Sitamarhi
7. The Circle Officer

.... Respondents

=====

Appearance :

For the Petitioner/s : M/S Pramod Kumar Singh & Virendra
Kumar, Advocates

For the Respondent/s : Mr. Biresh Kumar Sinha, JC to AAG-2

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 18-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

This is the second round of litigation by the petitioner before this Court. When his earlier writ petition being CWJC No. 249 of 1998 was allowed by order dated 23.12.1998, the respondents were restrained from disturbing the petitioner from his present posting till he was giving a fresh posting after holding that he could not have been replaced by respondent No.8 of the said case when the appointment of the petitioner was an independent appointment.

The respondents, however, have compelled the

petitioner to approach this Court by not paying salary to the petitioner for the period from July, 1995 to July, 1999 as it is asserted by the petitioner that he has been working since July, 1995 on the post of Chowkidar. In the said writ petition also the fact had been stated that the petitioner had been deprived of the salary since July, 1995.

In that view of the matter, the actions of the respondents border upon contempt in not giving salary to the petitioner for the period for which he has been found to be so entitled by the earlier order dated 23.12.1998.

The writ application is, accordingly, disposed of with a direction to the respondents concerned to ensure that the petitioner is paid his due arrears of salary within a period of two months from the date of receipt/production of a copy of this order.

(Ramesh Kumar Datta, J)

spal/-

U			
---	--	--	--