

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8928 of 2014

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Binay Kumar Son of Sri Bikramaditya Singh r/o village - Badkagaon, P.S.
Nokha, District - Rohtas (Sasaram)

.... Petitioner/s

Versus

1. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Head Quarter Sone Bhawan, R. Block
2. The Chief of Administration, Bihar State Food and Civil Supplies Corporation Ltd., Head Quarter, Sone Bhawan, R. Block, Patna
3. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Rohtas Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Adv

For the BSFC : Mr. Shailendra Kumar Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL JUDGMENT

2 17-03-2015 Heard learned counsel for the parties.

Learned counsel for the Bihar State Food and Civil Supplies Corporation, submits that whatever admissible amount of salary will be payable to the petitioner in terms of his order of engagement on daily wages in view of the Office Order contained in Memo No. 1047 dated 07.01.2012 envisaging engagement of the petitioner for the period of four months shall be paid to the petitioner within ten days from today.

He explains that the period beyond four months in terms of the order of engagement that the issue of payment of wages for the period beyond period of four



months as envisages in the order of engagement shall be separately considered by the competent authority on the basis of actual proof of working of the petitioner and a decision for payment of any amount for the aforementioned period beyond the period of four months shall also be taken and if any amount is found payable that will also be paid to the petitioner within a period of two months from the date of receipt of this order.

In the considered opinion of this Court, while the right of the petitioner can only be for the period of engagement done in the letter of his engagement. Fairness in action will always remind that if the work has been taken even after expiry of the period of four months by the competent controlling authority, payment of wages for that working period should also be made.

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

(Mihir Kumar Jha, J)

Ranjan/-

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