

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3180 of 2015

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Bharat Prasad, son of late Lallu Mahto, resident of Mohalla- Bari Pathandevi, Grha Mahesh Mistry, P.S. Alamganj, District- Patna, at present retired junior Engineer, Drainage Division, Chapra, Bihar

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Government of Bihar, Patna
2. The Engineer-in-Chief (North), Water Resources Department, Government of Bihar, Patna
3. The Chief Engineer, Water Resources Department, Government of Bihar, Barai Road, Bhagalpur
4. Superintending Engineer, Ganga Pump Canal Circle, Water Resources Department, Bhagalpur
5. The Executive Engineer, Ganga Pump Canal Division, Kahalgaon, Bhagalpur

.... Respondents

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Appearance :

For the Petitioner : Mr. Prem Prakash Arya, Advocate

For the State : Mr. Pramod Kumar Sinha, A.C. to A.A.G. 2

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

4 28-07-2015 I have heard learned counsel for the petitioner and the State.

A counter affidavit has been filed on behalf of the respondent no.2 clearly stating in paragraph no.7 that payment of full salary of 188 days of earned leave has already been made. A reference in this regard has been given to the Annexure B which is an office order dated 10.12.2013. However, it is pointed out by learned counsel for petitioner that the order indicates that amount of Rs.1,93,690/- would be paid to the petitioner but that has not been paid as yet.

In above view of the matter, this writ application is being disposed of with a direction to the Engineer-in-Chief concerned to examine as to whether the payment has actually been made or not and if the payment is not made as yet then the same should be paid within a period of two weeks from the date of receipt/production of a copy of this order failing which the amount would carry simple interest @ 10% per annum to be calculated from the date it became due till the date of its final payment.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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