

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4991 of 2011

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Seth Chandra Gupta Aged About 78 Years S/O Late Thakur Prasad
Resident of Yasoda Bhawan, Indrapuri, Road No. 3, Near Ankur High
School, Keshri Nagar, District Patna-24.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department having his office at Vishbashsaraia Bhawan, P.S. Shastri Nagar, District Patna.
2. The Principal Secretary, Building Construction and Housing Department having his office in Vishweshsaraia Bhawan, P.S. Shastri Nagar, Distt. Patna.
3. The Engineer in Chief, Road Construction Department having his office at Vishweshsaraia Bhawan, P.S. Shastri Nagar, Distt. Patna.
4. The Engineer in Chief, Building Construction and Housing Department having his office at Vishwashsaraia, Bhawan, P.S. Shastri Nagar, Distt. Patna.
5. The Deputy Secretary (Technical Cell), Road Construction Department having his office at Vishweshsaraia Bhawan, P.S. Shastri Nagar, Distt. Patna.
6. The Deputy Secretary (Technical Cell), Building Construction Department having his office at Vishweshsaraia Bhawan, P.S. Shastri Nagar, Distt. Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vikas Mohan
For the Respondent/s : AC to GA 5

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 24-11-2015 Heard Sri Vikas Mohan, learned counsel for the
petitioner and learned A.C. to Govt. Advocate – 5.

The petitioner, who retired as Assistant Engineer long
back on 31-10-1991, has approached this Court invoking its writ
jurisdiction in the year 2011, with a prayer to direct the
respondents to pay his arrears of salary for the period from

09-04-1972 to 30-06-1976. Earlier, after ten years of his retirement in the 2001, he had filed a writ petition, vide C.W.J.C. No. 3190 of 2001, almost for the same relief with some other relief also. The writ petition was disposed of on 21-12-2005.

Learned counsel for the petitioner submits that in compliance with the order passed in the earlier writ petition, the petitioner filed representation. Since, no decision was taken on his representation, the petitioner also filed contempt petition, which was subsequently disposed of. He further submits that department is making correspondence, but till date nothing has been communicated regarding clearance of the said arrear salary.

The Court is of the opinion that since the petitioner himself slumbered over his right over a long period, at least after such a long time, the claim of the petitioner regarding his due salary, which was for the period from 1972 to 1976, may not be adjudicated by this Court.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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