

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6388 of 2016

=====

Surendra Prasad Singh son of Kedar Singh @ Nunulal Singh, resident of village-
Mokama (Sakarwar Tola), P.S.- Mokama, District- Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The Chairman, Nagar Parishad, Mokama, District- Patna.
3. The Executive Officer, Nagar Parishad, Mokama, District- Patna.

.... Respondents

=====

Appearance :

For the Petitioner	:	Mr. Mithilesh Kumar Sharma, Advocate
For the State	:	Mr. Rajesh Kumar, A.C. to G.P.3
For Nagar Parishad	:	Arabind Nath Pandey, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 23-09-2016

The claim of the petitioner, who retired as a Head Clerk from Nagar Parishad, Mokama, is to pay differential of amount of salary for the period from 01.04.2007 to 31.01.2008 as well as differential of pension between 01.02.2008 to 31.12.2014.

If the petitioner was an ordinary employee may be of a Class IV kind, such prayer on behalf of such employee was condonable. Since the petitioner was the Head Clerk, therefore, he had indepth knowledge of the actual state of affairs and the decisions of the Nagar Parishad, Mokama in play. Despite that he has moved the High Court looking for a bounty which is not available to any employee of the Nagar Parishad, Mokama because the settlement of the claim of the petitioner has been made on the basis of the decision

taken by the Nagar Parishad with regard to applicability of the fifth and sixth pay revision. Since the petitioner does not come within the ambit of the same, the relief prayed for is totally misplaced and that is also the stand of the Nagar Parishad, Mokama in their counter affidavit.

Writ has no merit. It is dismissed.

(Ajay Kumar Tripathi, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	27.09.2016
Transmission Date	