

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7845 of 2011

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Brahmdeo Mistri, son of Late Ram Balak Mistri, R/v Ichhosh, P.O. Ichhosh,
P.S. Islampur, District- Nalanda

.... Petitioner

Versus

1. The State of Bihar through the Health Secretary, Government of Bihar, Patna
2. The Director-in-Chief, Health Services, Government of Bihar, Patna
3. The Health Commissioner, Health Services, Government of Bihar, Patna
4. The Joint Director, Health Services, Government of Bihar, Patna
5. The Director, Health Services, Government of Bihar, Patna
6. The District Malaria Officer, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Respondent/s : Mr. AC to SC-22

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

8 18-03-2016 Heard Sri Vijay Kumar Sinha, learned counsel for the
petitioners and learned AC to SC-22.

The petitioner, invoking writ jurisdiction of this Court under Article-226 of the Constitution of India, has made a vague prayer for directing the Respondents to pay the due salary and consequential relief with revised pay scale.

A plea has been taken that the petitioner was appointed as “Maushami Kshatriya Karj Karta” in the District Malaria Office, Danapur. In paragraph-4 of the writ petition, it has been stated that he was appointed as such in the year 1992. Though statement has been made that payment was not made, the writ petition was filed in the year 2011 with a prayer to direct the

Respondents to make payment of arrear of salary without giving any detail as to from which date to which period salary was not paid, whereas in this case, a counter affidavit has been filed on behalf of Respondent no.6 and a specific statement has been made in paragraph-4 that the petitioner was appointed as Seasonal D.D.T. Spray Worker i.e. Maushmi Kshatriya Karjkarta, which was seasonal in nature. It has been clarified that in the year 1992 itself, the petitioner was appointed and work from him was taken only for 50 days, for which he has already been paid.

In view of facts and circumstances, the Court is of the opinion that no positive order is required to be passed. The writ petition stands dismissed.

(Rakesh Kumar, J)

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