

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7808 of 2014

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Lalit Rai, the adopted son of Ram Padarath Rai, as the natural son of Late Raj Mangal Rai resident of Village- Benipur, Police Station- Parsauni, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, the Government of Bihar, Old Secretariat, Patna.
2. The Secretary, Administrative and Personnel Department, the Government of Bihar, Patna.
3. The Secretary, Home Department (Police), Old Secretariat, the Government of Bihar, Patna.
4. The District Magistrate, Sitamarhi.
5. The Superintendent of Police, Sitamarhi.
6. The Sub. Divisional Officer, Belsand, Sitamarhi.
7. The Senior Deputy Collector, the District General Section, Sitamarhi.
8. The Circle Officer, Parsauni, Sitamarhi. null null
9. The Officer Incharge, Parsauni, Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jiwan Prakash Sinha

For the Respondent/s : Mr. GP8- Manish Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 09-05-2016

Heard learned counsel for the parties.

For the controversies and reasons indicated in Annexure-4, dated 28.01.2014, the said decision is not required to be interfered with. Petitioner will have to move a civil court of competent jurisdiction to establish that he was a legally adopted son of Ram Padarath Rai. Since the materials and evidence are loaded against that position, Annexure-4 is not required to be interfered with.

However, since work was taken from the petitioner after

his engagement on compassionate ground till the impugned order was passed, he will be entitled for payment of his remuneration for the period of work.

The Collector, Sitamarhi is directed to verify the position with regard to work of the of the petitioner till his removal in terms of Annexure-4 and take steps for payment, preferably within a period of four months from the date of communication / production of a copy of this order.

Writ application is dismissed with observation and direction as above.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	09.05.2016
Transmission Date	