

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.989 of 2016

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1. The Executive Officer, Nagar Panchayat Makhdumpur, P.O. + P.S.- Makhdumpur District- Jahanabad.
 2. Nagar Panchayat Makhdumpur, P.O. + P.S.- Makhdumpur District- Jahanabad, through the Chairman, Nagar Panchayat Makhdumpur, P.O. + P.S.- Makhdumpur, District- Jehanabad.

.... Respondents- Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Town Development and Housing Department, Bihar, Patna.
3. The Joint Secretary, Town Development and Housing Department, Bihar, Patna.
4. The Deputy Secretary cum Director, Town Development and Housing Department, Bihar, Patna.

Respondents-Respondents

5. Kausik Kumar Chandra, Son of Late Sheonandan Singh, resident of village- Sareya, P.O.+P.S.- Makhdumpur, District- Jehanabad.

.... Petitioner-Respondent/s

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Appearance :

For the Appellant : None

For the Respondent No.5 : Mr. Ramesh Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 27-04-2017

None appears for the appellants. Sri Ramesh Singh, learned Counsel appears for respondent No.5- the original writ petitioner.

Seeking exception to an order dated 28.03.2016 passed by this Court in CWJC No.2766 of 2013, this appeal has been filed by the Nagar Panchayat, Makhdumpur. Respondent No.5 Kausik Kumar Chandra was working in the Nagar Panchayat and when salary was not paid to him after regularisation in view of the order passed by this Court in CWJC No.16067 of 2001ON 25.03.2010, he filed the writ



petition and after hearing all concerned, the learned Writ Court came to the conclusion that he has been regularized and, therefore, there is no reason that salary should not be paid to him. Contention of the Nagar Panchayat that he was not coming to work was found to be not correct and the learned Writ Court directed the Executive Officer of the Nagar Panchayat to examine the case of the petitioner, allow him to discharge duty and ensure that payment is made to him.

Having considered the submissions made by learned counsel for the respondent no.5, having gone through the record and having taken note of the reasons that weighed with the learned writ Court in recording the finding and directing for examination of the matter by the Executive officer of the Nagar Panchayat, we find that no error has been committed by the learned writ Court warranting reconsideration. The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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