

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11205 of 2014

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Bishwanath Bansphor Son of Late Deoraj Bansfor Resident of Village - Morarpatti,
P.O. + Block + P.S. - Raghunathpur, District – Siwan Petitioner
Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Deputy Secretary, Chief Minister Secretariat, Public Grievance Cell, Bihar,
Patna.
 3. The Divisional Commissioner, Saran Division, Chapra.
 4. The District Magistrate, Siwan.
 5. The Sub-Divisional Officer, Siwan.
 6. The Block Development Officer, Raghunathpur Block, District - Siwan.
 7. The Circle Officer, Raghunathpur Block, District – Siwan
..... Respondents
- =====

Appearance :

For the Petitioner : Mr. Ranjeet kumar, Advocate
Mr. Kundan Kumar, Advocate and
Mr. Dilip Kumar, Advocate
For the Respondents : Mr. Ram Pravesh Tiwari, AC to SC 25.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 06-12-2017

Counsel for the petitioner draws attention of the Court towards the averments made in the counter affidavit wherein the State authorities have admitted that the petitioner was working as sweeper (Jharukash) in Block office, Raghunathpur since 1987 and his application for appointment on compassionate ground after the death of his father was rejected due to delay. From perusal of paragraph 7 of the counter affidavit, it is evident that in view of petitioner's claim for payment of daily wages, the BDO, Raghunathpur wrote letters to the District Collector, Siwan. The same reveals that he was working on part time basis since 1988



onward and was paid Rs.24/-per day till 8.8.2009, Rs.50/- per day till 31.3.2011 and thereafter Rs.125/- per working day. From the averments made in the counter affidavit it is therefore obvious that he has been working since prior to the cut off date, i.e., 11.12.1990 in terms of resolution no. 5940 dated 18.6.1993 and letter no. 489 dated 10.5.2005 as mentioned in paragraph 4 of the counter affidavit.

In the aforesaid facts of the case, the respondent authorities are directed to look into the matter and take a decision in respect of petitioner's claim with reference to the said resolutions within a period of 8 weeks from the date of receipt/production of a copy of this order.

The writ petition is disposed of in the aforesaid terms.

(Madhuresh Prasad, J)

Shashi.

NAFR	
CAV DATE	NA
Uploading Date	11.12.2017
Transmission Date	NA

