

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10819 of 2011

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Suresh Dwivedi, S/O Late Ram Chandra Dwivedi, R/O Village-Naya Tola,
Sangatpar, P.S.-Bakhtiyarpur,, Distt.-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department Govt. Of Bihar, Patna
3. The Deputy Director, (Higher Education), Human Resources Development Department, Govt. Of Bihar Patna
4. The Bihar School Examination Board, Through Its Chairman, Patna
5. The Secretary of the of the Governing Body of the Nunuwati Jagdeo Singh College, Bakhtiyarpur, Patna
6. Dr. Murlidhar Singh @ Murlidhar Singh, S/O Sheo Pujan Singh, R/O Village, P.S.-Jurawanpur, Distt.-Vaishali

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha- I, Advocate

For the Respondent/s : Mr. S.A. ALAM, SC-3

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 22-06-2018

Heard learned counsel for the petitioner and State.

Salary prayed for in the present writ application
appears to be thoroughly misconceived.

The petitioner, who has claimed to be the Professor-in-charge of the College, has filed the present writ application for quashing the order dated 20.01.2011, whereby the Principal Secretary, Human Resources Development Department has issued direction for payment of salary to respondent no.6.

If there is any infirmity with regard to decision for payment of salary to the private respondent (respondent no.6), the



petitioner should approach the Principal Secretary, Human Resources Development Department, Government of Bihar about the infirmity instead of filing writ application.

In view of the above, the writ application is disposed of with liberty to the petitioner to approach respondent no.2, Principal Secretary, Human Resources Development Department, Government of Bihar by filing representation indicating therein infirmity, which disentitle respondent no.6 from receiving salary. In case, such representation is filed within a period of two months from today, the respondent no.2 will pass appropriate order within a further period of three months from the date of filing of such representation.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26 .06.2018
Transmission Date	

