

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10544 of 2018

=====

Ajay Kumar Sharma, Son of Maleshwar Sharma, Resident of Village-
Deoghara, Police Station- Kako, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General Administration
Department, Government of Bihar, Patna.
2. The Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Jehanabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Uday Narayan Singh, Adv.
For the Respondent/s : Dr. Mankeshwar Tiwari, AC to AAG3

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date : 06-09-2018

Heard learned counsel for the parties.

The only grievance has been raised that the petitioner should be paid his salary for the period he has discharged the duty in the Collectorate, Jehanabad in the office of Collector where the petitioner had given his joining on 2.3.2012 but, his services has been dispensed with vide order dated 26.9.2012 on the ground that the State has refused to grant age relaxation to the petitioner for continuing in service.

The petitioner was regularized in service vide letter dated 1.3.2012 subject to the condition relaxation of age is granted by the State. Ultimately, relaxation was refused but, the question in the present case is that whether the petitioner is entitled to the salary for the period he has in fact discharged the duty in the office



of Deputy Collector. If the petitioner has discharged his duty, he cannot be deprived of the salary.

In that view of the matter, this Court directs the Collector, Jehanabad to examine the case of the petitioner and the admitted amount should be paid to the petitioner.

For convenience, the petitioner is directed to file a detailed representation to the Collector, Jehanabad who will examine the grievance of the petitioner and will take a decision in accordance with law. If it is found that the petitioner has worked for such period, he must be paid his salary expeditiously preferably within a period of four weeks from the date of filing of the representation along with a copy of this order.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.09.2018
Transmission Date	

