

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 19215 of 2014

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Narendra Kumar Sinha Son of Late Bishwanath Prasad, resident of Mohalla-
Panchwati Colony, Police Station- Beur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Bihar
2. The Principal Secretary, Finance Department, Old Secretariat, Bihar, Patna
3. The Principal Secretary, General Administration Department, Bihar, Patna
4. The Principal Secretary, Road Construction Department, Bihar, Patna
5. The Principal Secretary, Home Department, Bihar, Patna
6. The Accountant General, Bihar, Patna
7. The State of Jharkhand, the Principal Secretary, General Administration
Department, Jharkhand

.... Respondent/s

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For the Petitioner/s	:	Mr Lala Sheshendra Narayan Rais, Advocate
For the State	:	Mr H S Roy, AC to AG

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 03-07-2018

Heard learned counsel for the petitioner and the
respondent-State.

2 Learned counsel for the petitioner, in support of his claim for arrears of salary for the period 01.01.2006 to 31.03.2007 i e, the period during which he has worked in the State of Jharkhand prior to his cadre allocation done in the year 2007, has submitted that similar claim in respect of others have been allowed under order dated 12.09.2017 bearing Memo No 7324 issued by the Department of Finance. It is submitted that as similar claim in respect of others have been allowed by respondent-State, his claim should also be considered as he is similarly situated as those persons as prior to April 2007, he



was finally relieved for joining in the State of Bihar subsequent upon the Bihar Cadre allocated to him during reorganization of the State.

3 In view of the said submission of the learned counsel for the petitioner, the writ petition is disposed of.

4 The petitioner may make his claim by making representation relying upon the order dated 12.09.2017 before respondent No 4 within a period of two weeks from today.

5 It is made clear that upon submission of such representation, respondent No 4 would be obliged to consider the petitioner's claim in light of the fact that other similarly situated persons as the petitioner have been allowed their claim for the same period under similar circumstances. The entire consideration should be done within a period of three months from the date of receipt/production of a copy of this order before respondent No 4. The respondents would also be obliged to ensure that the payments, if found due and admissible, be paid to the petitioner in the aforesaid period.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.07.2018
Transmission Date	NA

