

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3218 of 2017

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1. Mithilesh Kumar Mishra, Son of Late Madan Kant Mishra, resident of village - Sohsarai, P.O. Pandaul, District - Madhubani
2. Sanjay Kumar Jaiswal, Son of Radha Krishna Jaiswal, resident of B/29, Road No. 18, Rajeev Nagar, Patna
3. Jagdeo Paswan, Son of Late Devki Paswan, resident of village & P.O. Bari Balia (North) P.S. Balia, District - Begusarai
4. Abhishek Kumar, Son of Satendra Kumar, Mainpura Bagicha, North to L.C.T. Ghat, Behind Vaishnavi Apartment, P.O. GPO, Patna
5. Pawan Kumar Singh, Son of Sri Laxmi Prasad Singh, Near R.P.S. Girls Public School, Urja Nagar, Khagaul Road Danapur, Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna
2. The Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna
4. The Secretary Cum Commissioner, Department of Finance, Government of Bihar, Patna
5. The Bihar Rajya Khaad Aayog, Sone Bhawan, 5th Floor, Patna through its Secretary
6. The Chairman, Bihar Rajya Khaad Aayog, Sone Bhawan, 5th Floor, Patna
7. The Member Secretary, Bihar Rajya Khaad Aayog, Sone Bhawan, 5th Floor, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar
For the Respondent/s : Mr. Sanjay Kr.Giri-Gp9

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-03-2018

At the outset, the learned counsel for the petitioners seek to correct the nomenclature of the respondent no. 2.

Let the same be done during the course of the day.



In view of the uncontroverted fact that the petitioners herein have been appointed by the orders of the Hon'ble Governor, the counter affidavit filed by the respondent no. 6 has been rendered redundant and is against the materials on record.

In such view of the matter, the appointment of the petitioners cannot be disputed, as such, their right to receive the salary for the period they have worked, cannot be refused.

Having considered the aforesaid facts and circumstances of the present case, I am of the view that the petitioners are entitled for the salary for the period they have worked, hence the respondent no. 2 is directed to consider the entire facts and circumstances of the case and pass definitive orders within a period of four weeks from today.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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