

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14017 of 2010

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Shyam Sharan Prasad Suman S/O Late Munshi Prasad R/O Vill Bhadaush,
P.S.Sheikhpura, Distt-Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Panchayati Raj Government of Bihar, Patna
2. The Collector Sheikhpura
3. The Block Development Officer, Barbiga, Distt-Sheikhpura
4. The Block Development Officer, Chebara, Distt-Sheikhpura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar-2

For the Respondent/s : AAG-6

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 18-06-2018 The petitioner by way of the present writ petition has prayed for quashing the show cause notice dated 03.02.2010 by which the petitioner has been directed to file his clarification with regard to his unauthorized absence from his duty. The petitioner has prayed for payment of the outstanding amount of the salary.

The learned counsel for the petitioner has submitted that the petitioner has filed a reply dated 20.02.2010 to the show cause notice dated 03.2.2010 stating therein that he has regularly been discharging his dues and despite that he is not being paid salary with effect from the month of November, 2007.

The respondents have failed to file counter affidavit despite opportunities having been granted and the present matter being a very old matter, i.e. a writ petition of the year 2010, this Court does not deem it fit and proper to wait any longer for the respondents to file their counter affidavit at



their convenience and on their whims. Hence, the learned counsel for the respondent is not in position to controvert the submissions and averments made by the petitioner herein.

In such view of the matter, the respondents are directed to take a final decision with regard to the show cause notice dated 03.2.2010 and pass a reasoned order after giving an opportunity of hearing to the petitioner herein. In view of the uncontroverted submission of the petitioner that he is regularly discharging his duties, the respondents are directed to pay the outstanding dues of salary with effect from November, 2007 to the petitioner within a period of three weeks from today.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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