

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20296 of 2016

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Kailash Prasad Modi son of late Gulabi prasad Modi, sinchai Parmandal Laxmipur,
Jamui resident of Village Nazari, P.S. Laxmipur, District Jamui

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Water Resources Department Bihar, Patna.
2. The Chief Engineer, Water Resource Department, Bhagalpur
2. The Superintendent Engineer, Irrigation Circle, Kharagpur, Munger.
3. The Executive Engineer, Irrigation Division-I Laxmipur, Jamui.
4. The District Magistrate, Jamui.

... Respondents

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.

For the Respondent/s : Mr. Anjani Kumar, AAG4

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 12-04-2018

Heard learned counsel for the parties.

The petitioner is a daily wager working on the post of Typist and complains non-payment of his remuneration since February, 2015 i.e. since more than three years back.

A counter affidavit is filed through the Executive Engineer and which accepts non-payment due to lack of allotment. This is preposterous. A daily wager by his very nomenclature is dependent on the wages earned by him each day and yet the insensitive approach of the State has denied him the dues since past three years. The state of unemployment present, the petitioner has no option but to continue even without remuneration.

It is about the time that the Principal Secretary, Water



Resources Department as the head of the department would bear attention to such human rights violation and ensure timely payments at least to the daily wagers.

I hereby direct the Principal Secretary, Water Resources Department to bear attention to the grievance raised by the petitioner and take steps for payment of his lawful dues within six weeks of the receipt/ production of a copy of this order for any failure in this regard would invite a cost to be shared by all held responsible payable from their own pocket.

Let a writ of mandamus be issued accordingly.

The writ petition is allowed.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.04.2018
Transmission Date	NA

