

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4139 of 2019

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Kamal Prasad S/o Maksudan Prasad Vill.- Jiwan Bigaha, P.s.- Jamhore, Distt.- Aurangabad. At present posted as office orderly, Nagar Parishad Daudnagar, Ps.- Daudnagar, Distt.-Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Urban Development and housing department, Bihar, Patna
2. Municipal Administrator cum Additional Secretary Urban Development and housing department, Bihar, Patna
3. District Magistrate Aurangabad
4. Executive Officer Nagar Parishad, Daudnagar, Distt.-Aurangabad
5. Sub Divisional Officer cum Administrator Nagar Parishad , Daudnagar, Distt.- Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bachan Jee Ojha Advocate
For the Respondent/s	:	Mr. Ashutosh Ranjan Pandey A.A.G. - 13

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 06-03-2019

Heard the learned counsel for the petitioner and the State.

The petitioner is aggrieved by the fact that he has not been paid his salary for several months for which he has worked, on the sole ground that the concerned Municipal Corporation / Nagar Parishad is under financial distress.

Learned counsel for the petitioner has also pointed out to this Court that similarly situated persons who were



working as Orderlies in various Nagar Parishads have been paid their salary only after they have obtained necessary orders / directions from this Court.

It has therefore been submitted that it is against the litigation policy of the State to demand specific orders from the High Court with respect to payment of salary from the employees.

In any view of the matter, the petitioner submits that he would be satisfied if the representation which has been filed by him be disposed off by the concerned respondents.

In order to expedite the process of payment of arrears of salary, this Court deems it appropriate to direct the petitioner to make a fresh representation before the Executive Officer, Nagar Parishad, Daudnagar, District- Aurangabad, detailing his grievance within a period of four weeks from today.

Should such an application be filed, the same shall be disposed off by the concerned respondent, namely, Respondent No. 4, within a period of four weeks thereafter, preferably by a reasoned order in accordance with law. Needless to say that if



the claim of the petitioner is found to be tenable, necessary
sequel order shall be passed within the aforesaid stipulated
period.

With the aforesaid observation / direction, this
petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	07.03.2019
Transmission Date	

