

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4609 of 2016

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Md. Rustam son of Late Sami Ahmad resident of village - Asthawan, P.O. -
Asthawan, P.S. - Asthawan, District - Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Engineer-in-Chief, Rural Works Department, Government of Bihar,
Patna.
3. The Superintending Engineer, Rural Works Circle - 2, Saharsa.
4. The Executive Engineer, Rural Works Department, Works Division - 2,
Khagaria Gogari.
5. The Block Development Officer, Mansi, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Gautam
For the Respondent/s : Mr.Gp26- N.K. Singh

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-06-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Petitioner has filed writ petition claiming salary from
26.03.2008 to 10.06.2013.

In the counter affidavit, respondents have taken stand
that the petitioner was found entitled to salary for the period
26.03.2008 to 14.04.2008 and has accordingly been paid. The
period from 15.04.2008 till 08.02.2013 is alleged to be
unauthorized absence of the petitioner. Counter affidavit,
however, does not disclose whether any action has been taken
against the petitioner or not.



In the circumstance, counsel for the petitioner submits that he would be approaching authority for grant of leave and regularization of period of absence having regard to the period of leave available to the petitioner.

In view of such submission, since consideration has to be taken by the authority, these proceedings need not be kept pending. Petitioner would be at liberty to approach the respondent-authority for grant of leave and regularization of the period of absence in accordance with law.

With the liberty aforesaid, writ petition is disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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