

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 6632 of 2015

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Ram Rijhan Prasad Sah, Son of Late Ramawtar Prasad Sah, Resident of
Laheri Patti, Old Exchange Road, Shankar Chowk, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Director, Agriculture Department, Bihar, Patna.
3. District Agriculture Officer, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kapil Deo Singh
For the Respondent/s : Mr.N.K. Singh- Sc2

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioner and the
respondent-State.

Petitioner has made his claim for payment of
honorarium for the period June 2014 till November, 2014. It is
submitted that in the said period, petitioner has performed his
duties.

From the pleadings on record, it appears that even
though there was no extension of the petitioner's contractual
engagement as Financial Consultant, he has continued to
perform his duties from June, 2014 till November, 2014 since
the work was taken by the District Agriculture Officer,
Samastipur without any extension and even after petitioner
attained the age of 65 years. Show cause was issued to the



District Agriculture Officer, Samastipur by the Director, Agriculture Department. What has happened in the said enquiry is not before this Court?

In the circumstance, however, one fact is evident that in between June, 2014 to November, 2014, the petitioner has actually worked.

In the circumstances, since the issue of the petitioner's continuance from June, 2014 to November, 2014, was being considered by the Director, Agriculture, as is evident from the communication dated 03.02.2015 (Annexure E to the counter affidavit), this Court would permit the learned counsel for the petitioner to approach the Director, Agriculture (respondent No 2) for his claim.

In the event such application is filed within four weeks, the same should be considered by respondent No 2 and orders should be passed in accordance with law making due and admissible payment to the petitioner within a period of three months thereafter.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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