

**Civil Writ Jurisdiction Case No.12918 of 2011**

- ... .. Petitioner/s

1. THE STATE OF BIHAR and ORS
2. The D.G. of Police- Cum-I.G. of Police, Govt. of Bihar, Patna.
3. The D.I.G. of Police Administrative, Government of Bihar, Patna.
4. The Assistant to the I.G. of Police Personnel, Govt. of Bihar, Patna.
5. The Inspector General of Police, Darbhanga.
6. The Inspector General of Police, Darbhanga.
7. The Deputy Inspector General of Police, Purnea Range, Purnea.
8. The Superintendent of Police, Katihar.
9. The Treasury Officer, Katihar.
10. The District Provident Fund Officer, Katihar.
11. The Accountant General, Bihar, Bir Chand Patel Path, Patna.

... .. Respondent/s

For the Petitioner/s : Mr.Purushottam Kumar Jha  
For the Respondent/s : Mr.Kumari Amrita GP 10

## ORAL ORDER

As original petitioner died during the pendency of the



instant writ proceedings, his legal heirs have been substituted vide order dated 14.09.2018.

Petitioner was given promotion to the post of Police Inspector with effect from 03.11.1982 but the said promotion was cancelled vide order dated 22.03.1993. On account of reversion, petitioner was entitled to payment of arrear of salary and other consequential benefit for which he has filed instant writ petition in the year 2011.

Respondents have filed a counter affidavit after due service upon petitioner's counsel in the year 2011 itself.

Stand of respondent-authorities in para 4 of the counter affidavit is as follows:-

“ That at the very outset, it is humbly submitted by the answering respondent that the arrears of salary of the petitioner was calculated and the same has already been paid to the petitioner by S.P. Katihar vide bill no. 191/11-12 for Rs. 207893/-, bill no. 192/11-12 for Rs. 756419/- and bill no. 202/11-12 for Rs. 2,94150/- and these amounts have already been deposited in the saving Bank Account of writ petitioner bearing S.B.A/c no. 10954324834.”

Mr.Jha appearing for the petitioners vehemently disputes said assertions of the respondents. He submits that such vague assertions which are not supported by any document should not be considered by this court and there are other dues also, details of which have been made in paragraphs 6, 7 and 8 of writ petition.

The specific assertion made in the counter affidavit regarding payment of salary for the period after due calculation under



three bills was supported by annexure A to the counter affidavit i.e. communication of the Accountant in the office of the Superintendent of Police, Katihar.

This court would observe that till date petitioners have not filed any reply disputing the assertion made in the counter affidavit.

Be that as it may, petitioners are entitled to know details of payment made to them under bills referred to para 4 of the counter affidavit filed on behalf of respondent no.8. This court would direct the Superintendent of Police, Katihar to supply details showing calculation to the petitioners within a period of eight weeks from the date of receipt/production of a copy of this order.

It is made clear that if the petitioners find any due remaining pursuant to such details, they would be liberty to avail remedy as per law.

Writ petition stands disposed of.

s.hassan/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

**(Madhuresh Prasad, J)**

