

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7087 of 2015

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Ranbir Kumar son of Late Saudagar Prasad Resident of Village - Sitakund
Hasanpur, Police Station - Munger Muffasil, District - Munger, Presently
posted as Junior Engineer Champaran Division, Motihari, District East
Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Water Resource
Department Government of Bihar Patna
2. The Superintending Engineer, Water Drainage Investigation Circle,
Motihari, East Champaran.
3. The Exeutive Engineer, Water Drainagae Investigation Division, Bettiah,
West Champaran.
4. The Chief Engineer, Water Resource Department, District - Purnia.
5. The Superintending Engineer, Canal Circle, Purnia.
6. The Executive Engineer, Irrigation Division Bathana Araria.
7. The Under Secretary cum Incharge Officer Public Complaint Center, Water
Resource Department, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No.-7, Advocate
For the Respondent/s : Mr.Avnish Nandan Sinha,

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 16-04-2019

Petitioner's claim in the instant proceedings is for grant of
salary for the period August, 2009 to 05th of December, 2009.

Respondents have filed counter affidavit denying the
claim. Their specific assertion is that the petitioner during the
said period was absent.

The issue is seriously disputed by the counsel for the
petitioner. However, after some arguments he submits that the
petitioner would be making an application for regularizing the



said period of absence by granting him the admissible amount of leave during the said period of about four months and five days.

In view of the said submission, the decision has to be taken by the respondent no. 4. This Court would therefore, refrain from making any observation on the said claim of the petitioner. However, this Court would observe that if such a claim is made before the respondent no. 4 within four weeks from today, the respondent no. 4 should consider the same in accordance with law having regard to the admissible leave available to the grade of the petitioner and dispose it off by a reasoned and speaking order within a period of eight weeks thereafter.

Writ petition is disposed off.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

