

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12213 of 2019

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Ali Asgar, aged about 66 years, male, S/o Late Abdul Gafur, Resident of
Mohalla- Azad Nagar, P.S.- Fulvari Sharif, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home and
Affairs, Bihar, Patna.
2. The State of Bihar.
3. The D. I. G., Saran Division, Chapra.
4. The I. G., Bhagalpur Division, Bhagalpur.
5. The S. P., Gopalganj.
6. The Treasury Officer, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Ruchikar Jha, AC to SC-8

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 24-06-2019

Nobody appears on behalf of the petitioner. Mr.

Ruchikar Jha, learned AC to SC-8 is present.

2. The petitioner, who is a retired Constable,
seeks a direction to the respondent authorities to pay the
arrears of salary to him for six months from the month of
June, 2007 to the month of November, 2007 along with



admissible rate of interest.

3. It has been averred in the writ petition that the petitioner, after being appointed as a Constable in Sharsa Constabulary on 15.06.1975, served in the department at various places. After his retirement, the petitioner was given all his retiral dues except for the arrears of salary for the period aforesaid. In paragraph 7 of the writ petition, an explanation has been sought to be given with respect to the absence for the aforesaid period. It has been stated in the petition that the petitioner was transferred from Bhagalpur Treasury to Muzaffarpur Treasury on 25.05.2007, but because of the pendency of investigation of many cases in which his presence would have been necessary, he was not relieved from Bhagalpur. He was only relieved on 01.06.2007. This period, it has been urged, could not have been taken as period without duty and he ought to have been paid for the said period along with the arrears.

4. The representations preferred by the petitioner in this regard have fallen on deaf ears.

5. The petitioner, under the aforesaid



circumstances, is directed to make a representation before D.I.G., Saran Division, Chapra (respondent No. 3), ventilating his grievances and stating the reason why, he has not been paid the salary for the aforestated period within four weeks from today. The concerned respondent, on receipt on such representation, shall verify the facts and pass a reasoned order in accordance with law within a further period of six weeks thereafter. If the claim of the petitioner is found to be tenable, necessary sequel order shall be passed/caused to be passed forthwith.

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

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
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