

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16566 of 2019

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Md. Quaiser Imam Mallick Son of Late Md. Zubair Mallick Resident of
Chaudhary Mohalla, Katihar, P.S.- Nagar Thana, District- Katihar (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Patna.
2. The Director General of Police Bihar, Patna.
3. The Zonal Inspector General of Police Darbhanga, Bihar.
4. The Superintendent of Police Madhepura, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Awadhesh Kumar Mishra Mr. Ajay Kumar Ms. Rita Rai Ms. Sandhya Sharma
For the Respondent/s	:	Mr. Manish Kumar (GP4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 27-08-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner's salary for some time was not paid

and the same was paid only after excessive persuasion and

litigation by the petitioner but only after his retirement.

The petitioner claims statutory interest on delayed

payment of the salary.

The writ petition does not chart out in detail the

reason for such non-payment of salary on time.

Mr. Awadhesh Kumar Mishra, learned Advocate for



the petitioner has submitted that there could be no reason for such delayed payment except the apathy and indiscipline on the part of the higher officials. This is but a general statement which cannot be accepted without a demur.

Mr. Manish Kumar, learned GP-4 submits that the entire dues of salary has been paid and if at all the petitioner is claiming statutory interest on such delayed payment, the only option available to him is to knock the door of the civil court in a money suit.

Such an argument does not appear to be in tune with the litigation policy of the State and hence the same is rejected.

The petitioner, under the aforesaid circumstances, is directed to make a suitable representation before the Zonal Inspector General of Police, Darbhanga, Bihar (Respondent No. 3) within a period of four weeks, who would consider the grievance of the petitioner, ascertain the entitlement as claimed by him and the provision under which such claim has been put up and shall pass a reasoned order in accordance with law, within a further period of ten weeks



thereafter.

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

(Ashutosh Kumar, J)

skm/-

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