

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16376 of 2019

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Jai Mangal Prasad, S/o Late Deo Nandan Ray R/o Mohalla- Rikabganj, P.S.-
Malsalami, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Home Department,
Govt. of Bihar, Patna.
2. The District Commandant Bihar Home Guard Patna.
3. The Senior Commandant Bihar Home Guard Patna.
4. The S.H.O., Phulwari Sharif Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shaukat Alam

For the Respondent/s : Mr. P.K.Verma (AAG3)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 26-08-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner has approached this Court for a
direction to the concerned respondent to recompense him for
the work that he has rendered for about two months and
seven days beyond the date of his superannuation.

Learned counsel for the petitioner has submitted



that the petitioner was allowed to work as Home-Guard and only on a particular date was he informed that he had retired from 31.12.2018. At that time, the petitioner had worked for two months and seven days, for which he has not been paid.

Several representations have been filed by the petitioner on various dates for making available to him the remuneration for the period he had worked but no communication has been made to the petitioner in that regard upto now.

Learned counsel for the petitioner submits that no person can be forced to work without remuneration. If it is a fact that the petitioner had worked, he ought to be paid for that period.

The petitioner, therefore, is directed to make a representation before the District Commandant, Bihar, Home-Guard, Patna (Respondent No. 2) within a period of two weeks, who, on receipt of such representation, shall verify the facts, ascertain the entitlement of the petitioner and pass necessary orders in accordance with law, within a



further period of six weeks thereafter.

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

(Ashutosh Kumar, J)

skm/-

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