

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1074 of 2019

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Kumar Arun Singh, son of Late Gorakh Singh, permanent resident of Ward
No. 5, Village + P.O. - Sasaula, P.S. - Suppi, District – Sitamarhi

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Sugar Cane Development Department,
Government of Bihar, Patna
3. The Cane Commissioner, Cane Development Department, Government of
Bihar, Patna
4. The District Magistrate cum Chairman, Zonal Development Council,
Guraru, Gaya
5. The District Magistrate cum Chairman, Zonal Development Council,
Warsaliganj, Nawada
6. The Under Secretary, Cane Development Department, Government of
Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gaurav Govind Advocate
For the Respondent/s	:	Mr. Rajiv Roy GP-1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 14-02-2019

Heard the learned counsel for the petitioner and the

State.

The petitioner has approached this Court for a

direction to the respondents to pay to him the salary to which

he is entitled and which has not been paid to him since 2003

whereas the petitioner is still working on the post of Peon.



It appears that the petitioner, while serving as Peon in the office of Zonal Development Council, Warsaliganj and Guraru had approached this Court for a direction for transferring him or recommending for Zonal Development Council, Harkhua because that council had the requisite fund to pay salary to the employees. The request of the petitioner for being transferred to a different Zonal Council was only with the intention of working a Council where he would be paid. However, the aforesaid request was not acceded to and the writ petition which was filed by him vide C.W.J.C. No. 1556 of 2011 was dismissed. Against the aforesaid order passed by a Bench of this Court referred to above, the petitioner preferred L.P.A. No. 286 of 2012, which too was dismissed, but with an observation in favour of the petitioner that he may claim the recovery of arrears of salary in any substantive proceeding. Hence, the present writ petition for a direction to the respondents to pay him the salary from the year 2003 to which he is entitled and for which period he has worked.

Learned counsel for the petitioner submits that he would be satisfied if a direction is given to him to make such



representation for payment of salary to which he is entitled to the Principal Secretary, Sugarcane Development Department, Government of Bihar, Patna within a period of four weeks.

The aforesaid prayer appears to be absolutely genuine.

The petitioner is directed to make such representation, detailing his grievances and seeking his salary from the year 2003 before the Principal Secretary, Sugarcane Development Department, Government of Bihar, Patna within a period of four weeks from today. On receipt of such representation, the same shall be disposed off by a reasoned order within a period of six weeks thereafter. If the claim of the petitioner is found to be tenable, necessary sequel order shall be passed forthwith.

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

(Ashutosh Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	19.02.2019
Transmission Date	

