

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7170 of 2020

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Madhukar Son of Shri Jawahar Lall Resident of Shivaji Nagar (Saichak),
P.O.- Beur, Via- Anisabad and P.S.- Beur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Energy, Government of Bihar, 8 Daroga Roy Path, Patna- 800001.
2. The Principal Secretary, Department of Energy, Government of Bihar, Patna- 800001.
3. Bihar State Hydro Electric Power Corporation through Managing Director, Sone Bhawan, 2nd Floor B.C. Patel Marg, Patna- 800001.
4. The Chairman, Bihar State Hydro Electric Power Corporation, Sone Bhawan, 2nd Floor, B.C. Patel Marg, Patna- 800001.
5. The Managing Director, Bihar State Hydro Electric Power Corporation, Sone Bhawan, 2nd Floor, B.C. Patel Marg, Patna- 800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-08-2020 Heard learned counsel appearing on behalf of the
petitioner. No one appears on behalf of the State.

The present application involves the simple issue of payment of salary despite continuous working of the petitioner on the post. Taking work denying salary amounts to beggari which is impermissible under the constitutional scheme. If the petitioner's appointment is legal and valid and he has regularly worked then there is no reason to deny the salary to the petitioner.

Accordingly, the writ petition is disposed of with a



direction to the respondents to ensure payment of arrears of salary and current salary within a maximum period of sixty days from the date of receipt/production of a copy of this order, failing which, the petitioner shall be entitled to payment of interest @ 9 per cent from the date of accrual to the date of actual payment.

In the event, the respondents deny the salary; they are obliged to assign reason after opportunity of hearing to the petitioner.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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