

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4564 of 2021

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1. Dhananjay Kumar Jha Son of Sri Janardan Jha Resident of Ulao, Ward No. 03, Begusarai Municipal Corporation, P.S.- Muffasil, District- Begusarai, Pin- 851134
 2. Anupam Kumar Son of Ajay Kumar Singh Resident of Village and Post Officer- Bihat, Ward No. 21, P.S.- Barauni, District- Begusarai
 3. Om Prakash Paswan Son of Late Vishnudeo Paswan Resident of Village- Garhara, Ward No. 10, P.S.- Barauni, District- Begusarai
 4. Pankaj Kumar Singh Son of Late Anandu Singh Resident of Village and P.O.- Bihat, Ward No. 23, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Urban Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Urban Development Department, Govt. of Bihar Patna
3. Bihar Nagar Parishad Through the Chief Counselor
4. The Executive Officer, Bihat Nagar Parishad Bihat Nagar Parishad
5. The Head Clerk, Bihat Nagar Parishad Bihat Nagar Parishad

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 04-01-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioners have prayed for following reliefs:

“1. That petitioners by way of the instant writ petition, pray for issuance of writ of mandamus for directing the respondent authorities to pay their arrear salary from the period from December, 2018 onwards as well as current salary, who are still working on various post as



category “C” & “D” employees under the Bihat Nagar Parishad and no communication has been made to them about the reasons for non-payment of their respective salaries.”

3. Question for consideration in the present petition is whether petitioners are entitled to arrears of salary from December, 2018 and continue to entitlement of salary or not? In this regard, petitioners have submitted representation but concerned respondent has not acted on the petitioner's representation. Therefore, the concerned authority is hereby directed to redress the grievance of the petitioner stated in their representation dated 30.06.2020 and 19.10.2020 and pass speaking order as to why the petitioners are not entitled for salary. In the event, petitioners are entitled, the same shall be disbursed to them within a period of one month from the date of receipt of this order, failing which petitioners are entitled to interest @ 6% *per annum* on arrears of salary. In case petitioners are not entitle in that event a detailed speaking order shall be passed and communicated.

4. With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

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CAV DATE	
Uploading Date	
Transmission Date	

