

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5186 of 2021

Kiran Devi Wife of Dilip Kumar Singh Resident of village- Samalauta, P.O.-
Banjari, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Labour Resources Department, Niyogan Bhawan, J.L.Nehru Marg, Patna
2. The Director, Medical Services Employees State Insurance Scheme 5B, NIyojan Bhawan, J.L. Nahru Marg, Patna
3. The Regional Director, Employees State Insurance Corporation, Panchdeep Bhawan, J.L. Nahru Marg, Patna
4. The Assistant Director, (General Section) Employees State Insurance Corporation, Panchdeep Bhawan, J.L. Nahru Marg, Patna
5. The Insurance Medical Officer, Incharge, Employees State Insurance dispensary, Banjari, District- Rohtas

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh
For the Respondent/s : Mr. Nagendra Prasad Yadav, SC-23

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

Date : 03-02-2022

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

2. State counsel accept notice for respondents.

Petitioner's counsel to serve copy of the petition to the State
counsel.

3. In the instant petition, petitioner has prayed for
following reliefs:

“1. That this writ application is
for issuance of appropriate
writs/orders/directions in the nature of writ
of Mandamus directing the respondents to
make Payment of salary to the petitioner
from 25-10-2019, who has been working
continuously as Cleaner (Safaikarmi) at



Employees State Insurance dispensary, Banjari, Rohtas under the Insurance Medical Officer, Incharge, Banjari, Respondent No. 5 on fixed salary of Rs. 10,000/- per month and being a low paid labour is facing financial hardship.”

4. In support of the aforesaid relief, petitioner is stated to have submitted representations vide Annexure- 2 and 2/1, but the concerned respondent has not considered the aforesaid representations relating to entitlement of salary.

5. Therefore, the concerned respondent is hereby directed to examine the petitioner’s claim and decide as to whether petitioner is entitled to salary or not. If petitioner is entitled, necessary order and payment of salary shall be made to him. If the petitioner is otherwise not entitled, a detailed speaking order shall be passed as to under what circumstances the petitioner is not entitled to salary. The above exercise shall be completed within a period of one month from the date of receipt of this order, failing which petitioner is entitled to litigation cost and it is quantified @ Rs. 10,000/-

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

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

