

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8020 of 2021

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Ram Bhagwan Singh Son of Late Baikunth Singh Resident of Village-
Deokuli, Police Station- Pipara (Punpun), District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Rural Works Department,
Government of Bihar, Patna.
2. The Chief Engineer-4, Rural Works Department, Patna, Government of
Bihar, Patna.
3. The Officer on Special Duty, Rural Works Department, Government of
Bihar, Patna.
4. The Executive Engineer, Rural Works Department, Aurangabad.
5. The Executive Engineer, Rural Works Department, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pandey
For the Respondent/s : Ms. Archana Meenakshee (Gp6)

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

Date : 14-02-2022

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

2. In the instant petition, petitioner has prayed for the
following relief/reliefs:

“That present application is being filed for
issuance of appropriate writ or writs directing the respondents
to pay the Salary of petitioner as well as arrear of Salary from
April 2006 as petitioner is working as Junior Engineer in the
Rural works Department, Government of Bihar and his Salary
is not being paid without any valid reason for which he is
legally entitled as petitioner is in active service.”



3. Short question for consideration is whether petitioner is entitled to salary from 2006 or not? In this regard petitioner is stated to have submitted representation in the year 2019 for the first time. He being in the cadre of Junior Engineer, should have been alert in approaching the judicial forum, therefore, the petitioner is not entitled to salary between 2006 to 2019. The concerned respondent is hereby directed to examine petitioner's representation stated to have been filed in the year 2019 for the purpose of entitlement of salary from the prospective date. If the petitioner's appointment read with discharging the duties of the post of Junior Engineer is in accordance with law, in that event, petitioner is entitled to salary from January 2019 onwards, the same shall be examined by the competent authority and the competent authority shall proceed to pass order and communicate the decision to the petitioner within a period of three months.

4. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

