

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2699 of 2021

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Avinash Kumar S/o Akshay Paswan R/o Village- Khardihan, Post- Chotaki-
Chenari, P.S.- Shivsagar, Dist.- Rohtas, Pin 821113.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Home Department,
Government of Bihar, Patna.
2. The Director General of Police- cum- I.G. of Police Bihar, Patna.
3. The D.I.G. of Police Muzaffarpur, Range, Muzaffarpur.
4. The S.S.P. of Muzaffarpur Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Jha
For the Respondent/s : Mr.Lalit Kishore (Ag)

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

Date : 28-01-2022

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

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

“1. For Issuance of an appropriate
writ, order, or direction in nature of
"Mandamus" directing and commanding the
concerned Respondents to make the entire
due payment of total back wages of salary
and other benefits from the date of the joining
i.e **01.08.2015** to the date of Suspension i.e.
14.02.2020 to the petitioner on account of his
reinstated in response to Hon'ble High Court
Order dated 16.08.2019 of CWJC No.



21178/2018 as similar as the petitioner of CWJC No. 18337/2016 (Kamlesh Kumar Chaudhary) Annexure-06, of this petition.

II. For issuance of an appropriate writ, order/orders, direction or directions in nature of Mandamus directing and commanding the concerned respondent to make payment of entire back wages of full salary of petitioner and others benefits as similar as the benefitted of petitioner of CWJC No. 18337/2016 vide judgment dated 03.01.2018 (**Annexure-6**) and admissible S.A from the date of suspension 14.02.2020 in accordance to the service rules as well as CCA Rules-2005.

II. For issuance of any other relief or reliefs to which the petitioner found entitled to in the larger interest of justice.”

3. In support of the aforesaid relief, petitioner has not submitted any representation. Therefore, the present petition is not maintainable in the light of Apex Court’s decision in the case of *Mani Subrat Jain V. State of Haryana & Ors.* reported in *A.I.R. 1977 SC 276*.

4. Petitioner is at liberty to submit a detailed representation as to how he is entitled to difference of salary and regulation of suspension period etc. If such representation is submitted within a period of eight weeks from the date of receipt of this order, in that event, the concerned respondent is hereby directed to redress the grievance of the petitioner to be



stated in the representation along with judicial pronouncements, if any, be considered within a period of three months from the date of receipt of petitioner’s representation.

5. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

