

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10632 of 2020**

=====

Laljee Ray, Son of Sri Ramayan Ray, Resident of Village- Mundipur, Hulesra (Hulsara), Police Station- Bhagwanpur Hat, District- Siwan.

... .. Petitioner/s

Versus

1. The Principal Secretary, Cooperative Department, Bihar, Patna.
2. The Registrar, Cooperative Society, Bihar, Patna.
3. The Additional Registrar, Cooperative Society, Bihar, Patna.
4. The Managing Director, State Cooperative Bank, Bihar, Patna.
5. The Joint Registrar, Cooperative Society, Saran at Chapra.
6. The District Cooperative Officer, Siwan.
7. The Managing Director-cum- Member Secretary, Central Cooperative Bank, Siwan.
8. The Manager, District Cadre Cooperative Society, Cooperative Bank Campus, District- Siwan.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate  
For the Respondent/s : Mr.

=====

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

**Date : 25-01-2022**

This matter is heard via video conferencing due to circumstances prevailing on account of COVID-19 Pandemic.

2. Heard learned counsel for the parties.

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

“1. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to accept the joining of the petitioner as PACCS Manager Barkagaon PACCS, Anchal +Bhagwanpur Hat, District- Siwan, as the petitioner has given his joining before the



Managing Director-cum-Member Secretary, Central Cooperative Bank, Siwan but till date his joining has not been accepted and he has not been allowed to work.

II. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to accept the joining of the petitioner without any further delay as just after release from the jail, the petitioner has made an application on 18.02.2020 for acceptance of his joining before the Managing Director-cum-Member Secretary, Central Cooperative Bank, Siwan but till date his joining has not been accepted and due to which the petitioner is suffering a lot i.e. mentally as well as economically.

III. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to pay salary for which the petitioner is entitled in accordance with law since the date of his application for acceptance of joining i.e. since 18.02.2020.

IV. For issuance of any other writ/writs, order/orders, direction/directions for which the petitioner will be entitled in the facts and circumstances of the present case.”

4. During the pendency of the present petition, the petitioner is stated to have been extended the relief of reinstatement. Then what remains in the present petition is whether the petitioner is entitled to arrears of salary or not?



In this regard, petitioner is hereby directed to furnish detailed representation as to how he is entitled to arrears of salary. If such representation is submitted, the concerned respondent is directed to pass speaking order relating to entitlement of salary or not. Such decision must be taken by the concerned respondent within a period of three months from the date of receipt of a copy of this order.

5. Accordingly, writ petition stands disposed of.

**(P. B. Bajanthri, J)**

uday/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 01.02.2022 |
| Transmission Date | NA         |

