

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3122 of 2021

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Jagdish Paswan Son of Late Satyadeo Paswan Resident of Village, P.O. Police Station, Block-Jhanjharpur, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Deputy Secretary, Municipal Development Department, Government of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Sub Divisional Officer, Nagar Panchayat, Jhanjharpur, District-Madhubani.
4. The Executive Officer, Nagar Panchayat, Jhanjharpur, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat
For the Respondent/s : Mr. Y.P. Sinha, AAG 7

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

Date : 29-01-2022

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

2. State counsel accepts notice for respondents.

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

“That, this is an application for issuance of an appropriate writ(s), order(s), direction(s) to the respondents to make the payment of allowance for working against the higher post i.e. salary from 29.08.2012 to 28.02.2015 on the post of IIIrd Grade in terms of Rule 103 of the Bihar Service Code by the order of Executive Officer of Nagar Panchayat Jhanjharpur issued vide Memo No. 362 dated 29.08.2012 contained in Annexure 3 for which the petitioner is entitled.”



4. Short question for consideration in the present petition is whether petitioner is entitled to the relief sought in the present petition read with the representations *vide* Annexures 6, 8 to 10, 12, 14, 16 and 17 respectively.

5. The concerned respondent is hereby directed to redress the grievance of the petitioner pursuant to the representation as to whether petitioner is entitled to the relief sought in the representation read with the relief sought in the present petition or not? Such a decision shall be taken within a period of two months from the date of receipt of this order. If the petitioner is not entitled, in that event, necessary speaking order shall be passed. If petitioner is entitled necessary calculation be done and the monetary benefits shall be disbursed.

6. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

