

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3924 of 2021

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Amit Kumar Mishra son of Late Srichandra Mishra, resident of WF/5, Birpur,
P.S.- Birpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Water Resources Department, Bihar, Patna.
2. Chief Engineer, Flood Control and Drainage, Water Resources, Department, Birpur.
3. Superintending Engineer, Koshi Barrage Circle, Birpur.
4. Executive Engineer, Eastern Embankment Division, Birpur.
5. Sri Hemant Kumar the then Sub Divisional Officer, Eastern Embankment Subdivision, Chakarghatti, camp- Chatra, at present posted as Sub Divisional Office, Drainage Subdivision, Jaitpur (Muzaffarpur) PIN-842001.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harshvardhan Shivsundaram
For the Respondent/s : Mr. Akhileshwar Singh, AC to GA 2

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 31-01-2022

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

2. State counsel accepts notice for the respondents.

3. Counsel for the petitioner is hereby directed to
furnish copy of the petition to the counsel for the
State/respondents.



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

“(i) To issue appropriate direction, order or writ in the nature of Mandamus commanding the respondents to make payment of salary of this petitioner for the period 18.01.2020 to 31.05.2020 treating the said period as duty period in terms of Finance Department circular no. 2419 dated 04.05.2020.

(ii) To direction the respondents to sanction casual leave of the petitioner for the period 02.09.2019 to 13.09.2019.

(iii) To direct the respondents to enter verification of service of the petitioner for the aforesaid period in his service book.

(iv) To grant any other relief or reliefs to which the petitioner is entitled for.”

5. Short question for consideration in the present petition is whether petitioner is entitled to salary for the period from 18.01.2020 to 31.05.2020 in terms of circular No. 2419 dated 04.05.2020. Further as to whether petitioner is entitled to causal leave for the period from 02.09.2019 to 13.09.2019 or not? In this regard, petitioner submitted representation on 17.08.2020 and further application on 21.08.2020, the same is not considered by the concerned respondent, therefore, the concerned respondent is hereby directed to decide petitioner's grievance on top priority within a period of two months from the date of receipt of this order. If the petitioner is eligible, monetary benefits shall be extended and casual leave shall also be sanctioned. If the petitioner is not otherwise eligible, necessary speaking order shall be passed and communicated to the petitioner.



6. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

