

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3540 of 2021

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1. Raj Kishore Choudhary @ Raj Kishore Kumar Son of Ramashish Choudhary resident of Village - Durgapur, P.S. - Giriyak, District- Nalanda.
 2. Rita Devi @ Rita Kumari Wife of Raj Kishore Choudhary resident of Village - Durgapur, P.S. - Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar, Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Magadh Range, Gaya.
4. The Deputy Inspector General of Police, Magadh Range, Gaya.
5. The District Magistrate, Nalanda.
6. The Superintendent of Police, Nalanda at Biharsharif.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Respondent/s : Mr. Manish Kumar, GP-4

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. In the instant petition, petitioners have prayed for following reliefs:-

“(i) For issuance of an appropriate writ in nature of MANDAMUS commanding and directing the respondent authority to take appropriate decision with respect to petitioner grievance regarding payment of their salary pursuant to letter issued under the signature of the Under Secretary, Government of Bihar contained in his memo No. 8129 dated 27.09.2019 as well as memo No. 233 dated 25.7.2019 and memo No. 234 dated 25.07.2019.



(ii) Further for payment of entire consequential benefit since the date of his joining as Jamadar with statutory as well as penal interest.

(iii) Further for issuance of another writ/ writs, order/ orders, direction/ directions for which petitioner would be found entitled under the facts and circumstances of this case as stated herein below.”

3. In support of the aforesaid relief, petitioners have not submitted any representation. In the absence of representation, the petitioners are not entitled to writ of mandamus 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. Accordingly, the instant petition stands disposed of reserving liberty to the petitioners to approach the concerned respondent in submitting a detailed representation. 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 within a reasonable period of time.

(P. B. Bajanthri, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

