

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2556 of 2023

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Abhay Prakash Sahni, S/o Deepak Sahni, R/o Village-Kilaghet Mahdauli,
P.S.-Laheriasarai, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Minor Irrigation Department, Bihar, Patna.
2. Joint Secretary, Minor Irrigation Department, Bihar, Patna.
3. Chief Engineer, Minor Irrigation, Darbhanga Pramandal, Darbhanga.
4. Executive Engineer, Minor Irrigation, Darbhanga Pramandal, Darbhanga.
5. The Director, Date Take Software solution Pvt. Ltd. Active Media Group, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shiva Shankar Sharma, Advocate
For the Respondent/s	:	Mr.Sita Ram Yadav, GP-16
		Mr.Rakesh Kumar Srivastava, AC to GP-16

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

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| 2 | 17-07-2023 | <ol style="list-style-type: none">1. Heard learned counsel for the petitioner and learned counsel for the State.2. The petitioner claims to have worked as Data Entry Operator. His selection being done through an outsourced agency namely Data Take Software Solution Pvt. Ltd..3. Referring to Annexures-1 and 3 of the writ petition, learned counsel for the petitioner submits that under orders of the appropriate Authority, he has worked in the Minor Irrigation Department from 25.01.2019 to 30.06.2019 and there is an outstanding under the head “Wages” to be paid to the petitioner to the tune of Rs. 1,27,700/- (One lakh twenty-seven |
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thousand seven hundred rupees).

4. Paragraph 11 of the counter-affidavit filed by the District Magistrate reads as follows:-

“11) That it is very much evident from paragraph no. 7 & 8 of the writ petition that the salary of the petitioner was sent to the respondent no.5 (Director, Data Take Software Solution, Bihar, Patna) on 17.05.2022 for approval, but same was not approved by respondent no.5 and that is the sole reason the admitted dues of the petitioner has not paid as yet.”

5. The same is not denied or disputed, though copy of the counter-affidavit has been served on the learned counsel for the petitioner on 10.04.2023.

6. In view of the said statement, since the relief of the petitioner is now against the private entity Respondent No.5 (Director, Data Take Software Solution, Bihar, Patna), petitioner will be at liberty to pursue the same in accordance with law.

7. Writ application is accordingly dismissed.

(Madhuresh Prasad, J)

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