

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15283 of 2014

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Jitendra Kumar Singh Son of Brij Mohan Singh Resident of Village - Gulri
Kushaha, P.S. - Sambhuganj, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner Cum Secretary Water Resources Department,
Government of Bihar, Patna.
3. The Joint Secretary, General and Administration Department, Bihar, Patna.
4. The Under Secretary, Water Resources Department, Govt. of Bihar, Patna.
5. The Chief Engineer, Water Resources Department, Government of Bihar,
Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain, Advocate
For the State : Mr.Mahendra Pd. Verma, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-07-2023 The present writ petition has been filed seeking the
following relief:-

“1.(a) A writ of mandamus, an order/direction be issued to the respondents by directing them for payment of Full salary of the petitioner for the period w.e.f. 23-11-06 to 17-12-07 against the earn leave existing in the credit of the petitioner where as the Chief Engineer, Water Resources Department, Bhagalpur has wrongly passed the order vide Memo No. 1426 dated 7-5-2013 vide item no.2 of the said office order for granting salary to this employee on a half pay leave under



rule 232 of the Bihar Service Code relating to the aforementioned period without appreciating the legal aspect of the matter contained in Rule 227 of the Bihar Service Code.

(b) That the office order passed by the Chief Engineer, Water Resources Department, Bhagalpur be modified by deciding the entitlement of the petitioner for his full salary against the existing earn leave in the credit of this employee after considering the Rule 227 of the Bihar Service Code as well as the earlier Judgments of this Hon'ble court relating to the issue in question.

(c) A direction be issued to the respondents for payment of the dues salary of 390 days against his credited earn leave in the light of the Rule applicable in Bihar Service Code.

(d) An interest at the rate of 12% be directed to be paid on the arrears of salary payable to the petitioner under the law.

(e) A cost of Rupees 20,000/- be awarded upon the guilty officer for the physical and mental harassment caused to the employee by the said concerned authority due to wrong consideration of law where as the Rule 227 under the provisions existing in Bihar Service code is in force.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent-authorities, in case of any subsisting grievances.



Liberty so sought is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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