

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.22626 of 2013**

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Brij Nandan Prasad Son Of Late Sadashiv Mahto Resident Of Village -  
Bhojpur, P.S. Manpur, District - Nalanda, At Present Resident Of Mohalla -  
Patel Nagar, South Of D.M. Kothi, P.S. Loheri, District - Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Nalanda At Biharsharif
3. The Deputy Collector (Establishment), Nalanda At Biharsharif
4. The Director National Employment Programme, Nalanda At Biharsharif
5. The Executive Engineer, National Rural Employment Programme, Nalanda,  
Biharsharif

... .. Respondent/s

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**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr.Umesh Kumar Verma, Adv.      |
| For the State        | : | Mr. Sarvesh Kumar Singh, AAG-3  |
|                      |   | Mrs. Sunita Kumari, AC to AAG-3 |

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      22-06-2023                      The present writ petition has been filed seeking the  
following reliefs:-

“1(i). To issue a writ in the nature of certiorari  
for quashing the office order bearing memo  
No.594 dated 11.06.2001 (Annexure-10)  
issued under the signature of the Deputy  
Collector (Establishment), Nalanda whereby  
and whereunder the application of the  
petitioner for payment of salary from  
01.01.2000 to 13.08.2000 has been illegally,  
arbitrary and without applying his mind  
rejected on the ground "no work no pay".

(ii). To issue a writ in the nature of certiorari  
for quashing the Office order bearing memo



No 1160 dated 27.07.2013 (Annexure-17) whereby and whereunder an information has been given to the petitioner by the Deputy Collector, Establishment, Nalanda mentioning therein there is no necessity to re-consider the matter for payment of salary from 01.01.2000 to 13.08.2000.

(iii). To issue a writ in the nature of mandamus commanding the respondents to pay the salary of the petitioner from 01.01.2000 to 13.08.2000 for which period the petitioner has performed his duty in the office of the Director, National Employment Programme, Nalanda.”

The learned counsel for the petitioner has submitted that the petitioner has died during the interregnum period, however, his legal heirs are not approaching him for filing of any substitution petition, hence, they are no longer aggrieved, thus, the present writ petition be disposed off with liberty to the legal heirs of the deceased petitioner to avail such other remedies as are otherwise available under the law in case of any subsisting grievance. Liberty, so sought, is granted.

The writ petition stands disposed off.

**(Mohit Kumar Shah, J)**

Ajay/-

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