

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.500 of 2023

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Baliram Prasad Son of Dalsingar Prasad Resident of Village-Karsaut, Tola-Bhojchapra, Police Station-Daraunda, District-Siwan. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of General Administration Bihar, Patna.
2. The Collector, Saran, Chapra
3. The Anchal Adhikari, Ekama, District-Saran, Chapra.

... .. Respondents

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Appearance :

For the Petitioner/s : Dr. Uma Shankar Prasad, Sr. Advocate
Mr. Kamala Kant Tiwary, Advocate

For the Respondent/s : Mr. Ajay Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-03-2023 Heard learned counsel for the petitioner and Mr. Ajay Kumar, learned AC to GP-4 for the State.

The petitioner in the present case is seeking a direction to the respondent authorities for payment of arrear of salary/emoluments etc. for a period of 01.10.2018 to July 2021. According to the petitioner, he was engaged after his retirement from the service of the Gandak Command Area Development Authority on 31.05.2017 under the Scheme of the Government of Bihar.

In paragraph '11' of the writ application, a statement has been made that the petitioner worked since 01.10.2018 till July 2021 but he got his half salary of Rs.15163/- per month instead of his salary of Rs.30326/-.

Learned counsel for the petitioner has drawn the attention of this Court towards the Advertisement (Annexure '1') and last pay certificate of the petitioner (Annexure '2'). It is submitted that as per



the Advertisement, the petitioner would be entitled for his last pay at the time of his retirement and from Annexure '2', it will appear that at the time of his retirement he was getting a basic pay of Rs.12,850/- on which the dearness allowance at the rate of 136% i.e. 17,476/- was payable. It is his submission that the petitioner would be entitled to get the last pay with dearness allowance as per the advertisement contained in Annexure '1' but he has been paid only half amount that too only for 19 months.

In the writ application, there is no statement that the petitioner has made any representation before the competent authority as regards his remaining claim.

In the circumstances, this Court grants liberty to the petitioner to raise his grievance before the Collector, Saran, Chapra (respondent no. 2) by filing an appropriate representation within a period of six weeks from today whereupon the respondent no. 2 shall consider the same and pass an appropriate order within a period of three months.

In case the petitioner is found entitled for any arrear on account of his salary for the period worked, the same shall be made available to him within a further period of three months.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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