

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2286 of 2022

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Mohan Sahni Son of Late Kare Sahni Resident of Village- Kalyanpur, P.O.-
Kalyanpur, P.S.- Bariarpur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Chief Engineer, Minor Irrigation Department, Government of Bihar, Patna.
4. The Executive Engineer, Minor Water Resources Division, Katihar.
5. The District Magistrate, Katihar.
6. The Office of Accountant General, Bihar, Birchand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Adv.
For the Respondent/s : Mr. Nalin Vilochan Tiwary, AC to GA 9

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-07-2024

Heard Mr. Deepak Kumar Singh, learned Advocate for
the petitioner and Mr. Nalin Vilochan Tiwary, learned Advocate
for the State.

2. The petitioner by invoking the jurisdiction of this
Court seeks following reliefs:

“(i) For initiation of pension of the
petitioner.

(ii) For payment of arrear of salary from
01.07.1992 to 13.12.1993.

(iii) For payment of arrear of salary from
01.12.2000 to 18.10.2001.

(iv) For payment of arrear of salary from
01.02.2002 to 28.02.2002.



(v) For payment of arrear of salary from 08.10.2004 to 29.03.2005.

(vi) For payment of rest amount of gratuity.

(vii) For grant of Medical leave for period from 30.12.2008 to 31.12.2009 and all other reliefs, the petitioner may found entitled for.”

3. A counter affidavit has been filed on behalf of respondent nos. 2 to 6. Referring to the averments made in the counter affidavit, learned Advocate for the State contended that all the admissible dues of the petitioner have been paid.

4. At this juncture, learned Advocate for the petitioner submitted that though the petitioner was superannuated way back in the year 2009 but the actual payment has been made on 17.08.2023.

5. Learned Advocate for the State confronted such submission and further contended that the petitioner remained absent on different periods and because of his laches, the delay has occurred in ensuring payment.

6. Considering the rival contentions of the learned Advocate for the respective parties, this Court deems it proper to dispose of the writ petition with liberty to the petitioner to file a proper representation before the respondent no. 3 along with the necessary documents in support of his claim that the delay has occurred on the part of the respondent authorities. If such a



representation is filed within a period of four weeks from today, the same shall be considered and disposed of by a reasoned and speaking order preferably within a period of eight weeks. In case the claim of the petitioner finds favour it shall be followed by a consequential order.

7. The writ petition stands disposed of with the aforesaid observations and directions.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	23.07.2024
Transmission Date	

