

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1350 of 2023

In
Civil Writ Jurisdiction Case No.21264 of 2021

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Sameer Kumar Singh, Son of Late Lalji Singh, Resident of Flat No. 104,
Block-B, Regency Pragya Pradeep, Nandanpuri, Khajpura, P.S.-Rajeev Nagar,
District-Patna. Petitioner

Versus

1. The State of Bihar.
 2. The Chief Secretary, Govt. of Bihar, Patna.
 3. The Secretary, Rural Works Department, Govt. of Bihar, Patna.
- Opposite Parties
- =====

Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Advocate
For the Opposite Party/s : Mr. Satya Vrat, AC to GP-10

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 11-01-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This application has been filed seeking modification
of the order dated 24.03.2023 passed in CWJC No. 21264 of 2021.

3. Learned counsel for the petitioner submits that while
pressing the writ application, he inadvertently made a submission
that only prayer which remained to be considered was with regard
to the salary of the petitioner for the period June, 2021 to
15.08.2021. It is submitted that in fact, the prayer made in
paragraph 1(iii) of the writ application was also required to be
addressed and the grievance of the petitioner with regard to non-
sanction of earned leave and medical leave as requested by his
application dated 11.06.2021 to the authorities were required to be
considered.

4. Learned counsel for the State (AC to GP-10) is present. It appears that a show cause has been filed in this case on behalf of the opposite party but the same seems to have been filed only halfheartedly and in a most perfunctory manner under the impression that it is a contempt application. In fact, even learned AC to GP-10 sought to address this Court with reference to Annexure ‘A’ to the show cause as if it is a case of contempt.

5. Having regard to the facts and circumstances of the case, this Court modifies the order dated 24.03.2023 and grants liberty to the petitioner to incorporate his request for grant of earned leave and medical leave together with his grievance towards payment of salary.

6. If a consolidated representation is filed within a period of four weeks from today, the same will be considered by the competent authority within a period of two months from the date of receipt of the representation.

7. It is made clear that no further indulgence shall be granted by this Court.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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