

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10579 of 2023

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Anil Prasad Rajak Son of Late Kishori Baitha @ Kishori Rajak, Resident of ward No. 03, Kharjamma, Mahnar, Police Station - Mahnar, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Superintending Engineer, Road Construction Department, Magadh Road Circle, Gaya.
5. The Executive Engineer, Road Construction Division, Road Division Jehanabad.
6. The Executive Engineer, Road Construction Division, Road Division No. 1 Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Munna Kumar Upadhyay, Adv. Mr.Gopal Govind Mishra, Adv.
For the Respondent/s	:	Mr.Manoj Kr. Ambastha, SC-26 Mr.Subodh Kumar, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-01-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.(i) For issuance of writ in the nature of Mandamus for commanding the Respondent No.6, the Executive Engineer, Road Construction Division, No.1, Gaya to send the last pay certificate to the Executive Engineer, Road Construction Division, No.1, Jehanabad (Respondent No.5) for payment of salary of the petitioner in accordance with law in the interest of justice and the Respondent No.5 further



directed for payment of arrear of salary to the petitioner from 1.4.2023 to till date.”

2. At the outset, the learned counsel for the parties are in agreement that the last pay certificate of the petitioner has been sent to the Office of the Executive Engineer, Jehanabad, and the arrears of outstanding salary has also stood paid.

3. Nonetheless, the learned counsel for the petitioner submits that the service book of the petitioner has not been sent by the Executive Engineer, Gaya to the Office of the Executive Engineer, Jehanabad.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with a direction to the Executive Engineer, Gaya, to send the service book of the petitioner to the Office of the Executive Engineer, Jehanabad, within a period of one week from today, failing which, he shall not draw his salary.

(Mohit Kumar Shah, J)

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