

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10038 of 2024

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Najmuzzaman Khan, son of Late Wajih Ahmad Khan, resident of Ward No. 23 Near Old Police Club, Belbanwa, P.S.-Motihari Town, District-East Champaran.

... .. Petitioner/s

Versus

1. The Registrar General Patna High Court Judicature at Patna, Bihar.
2. The Registrar Civil Court Motihari, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vijay Shankar Shrivastava, Advocate
For the Respondent/s	:	Mr.Satyabir Bharti, Advocate
		Mr. Abhishek Anand, Advocate
		Ms. Kanupriya, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-07-2024 Heard learned counsel for the petitioner and learned counsel for the respondent.

2. Learned counsel for the petitioner submits that the petitioner has filed the present writ petition for payment of arrears of salary for the period of 22.11.1995 to 26.03.1996.

3. Learned counsel further submits that the petitioner is an old-aged person who retired from the service. After retirement, he has filed a representation before the District and Sessions Judge, Civil Court, Motihari, East Champaran. Still, no decision has been taken on the representation filed by the petitioner. After that, the present writ petition has been filed by him.



4. Learned counsel for the State submits that from the pleadings made by the parties, it transpires that the cause of action has been developed for the petitioner in the year 1995-96, but he has moved before this Court after 29 years and, therefore, due to delay made by the petitioner, the petitioner is not entitled to the said relief.

5. In response thereof, learned counsel for the petitioner submits that he has retired from service on 28.02.2023. He was in Civil Court and could not dare to raise the claim against the superiors due to fear but as soon as he retired, he filed a representation in 2023 itself and upon non-consideration of the same, he moved before this Hon'ble Court.

6. In the light of the submissions made by the parties, this writ petition is disposed off directing the petitioner to file a fresh representation before Respondent No.2, namely, the Registrar Civil Court, Motihari, East Champaran, and the Registrar, Civil Court, Motihari is directed to take a decision on the representation filed by the petitioner after going through his service book, in accordance with law. It is directed to the petitioner that he shall provide a copy of his service book before the Registrar, Civil Court, Motihari so that a decision could be taken preferably within a period of 90 days from the date of



production/receipt of a copy of this order.

7. With the aforesaid observation and direction, the writ petition stands disposed off.

(Dr. Anshuman, J)

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