

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10925 of 2024

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1. Arun Kumar Singh, son of Late Jai Narayan Singh, Resident of Village- Jamasi, P.S. Lodipur, District- Bhagalpur.
 2. Aditya Anant, son of Late Binod Kumar, Resident of Mohalla- New Bigharapur, P.O.- GPO, P.S. - Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Law Department, Government of Bihar, Patna.
2. The Secretary, Law Department, Government of Bihar, Patna.
3. The Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Patna.
4. The Administrator General and Official Trustee, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra Jha, Advocate
For the Respondent/s : Mr. Government Advocate 7

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners have filed the present writ petition
with the following reliefs:-

(i) For quashing the order bearing

Memo No. 8625 dated 04.12.2019 passed by
the Secretary to the Government, Law
Department, Government of Bihar, Patna,
whereby the claim of the petitioners for the



period they worked before termination of their services has been rejected.

(ii) For direction to the respondent concerned to consider the claim of the petitioners for payment of wages, strictly, in terms of mandate of Hon'ble Apex Court in Civil Appeal No. 7841 of 2011 vide order dated 31.03.2022.

(iii) For issuance of writ in the nature of Mandamus directing and commanding the Respondents Authorities to pay the admitted arrears of salary due to the petitioners from January, 1993 to March, 2006 as they have continuously worked in the office of Respondent No. 4 along with statutory interest.

(iv) For direction to the Respondent No. 2 to act upon and implement the office communication issued by the Respondent No. 4 bearing Memo No. 198 dated 21.06.2019 forwarding the representation of the petitioners relating to



their arrears of salary.

(v) For issuance of writ in the nature of Mandamus directing the Respondent Authorities for payment of statutory interest to the petitioners due to delayed payment of aforesaid arrears of salary.

(vi) For any other relief or reliefs which the petitioners may be found entitled to in the facts and circumstances of the case.

3. It transpires to this Court that the petitioner No. 1 and father of petitioner No. 2 have earlier moved before this Hon'ble Court in CWJC No. 4424 of 2006, in which the counsel for the petitioners has chosen to withdraw this writ petition and accordingly the writ petition was disposed off vide order dated 28.03.2012. It also transpires to this Court that the petitioners have moved second time before this Court in CWJC No. 14797 of 2019 in which vide order dated 08.08.2019, this Hon'ble Court has pleased to grant liberty to the petitioners to file their representation before the concerned respondent within a period of four weeks and claim of petitioners was directed to be looked into and communication was also directed to be made within



eight weeks thereafter.

4. Learned counsel for the petitioners submits that in compliance of order dated 08.08.2019, passed by this Hon'ble Court in CWJC No. 14797 of 2019, the petitioners had filed representations and their representations were rejected vide order dated 04.12.2019 contained in Memo No. 8625.

5. It transpires to this Court that the cause of action to these petitioners have arisen on 04.12.2019 itself to challenge the same, but they have not opted to challenge the same upon receiving the order and moved before this Hon'ble Court after a gap of five years by the present writ petition.

6. In that view of the matter, this Court is of the firm view that such a delayed petition ought not to be entertained before the High Court and, therefore, this writ petition is dismissed.

(Dr. Anshuman, J.)

Mkr./Aman/-

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