

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12386 of 2024

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Abuzer Kamal S/o Allauddin Ansari R/o New Diliyan, Ward no. 21, P.S.-
Dehri Anchal Dehri Distt- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar Govt. Patna.
2. District Magistrate, Kaimur
3. District Agriculture Officer, Bhabua (Kaimur)
4. Sub-divisional Agriculture Officer, Bhabua (Kaimur)
5. Satish Kumar Pandey S/o Late Lalita Kumar Pandey Head Clerk At
Presently Posting at Sub-Divisional Agriculture Office, Kaimur, Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Ajay Shankar Rajoo, Advocate
For the Respondent/s : Mr.Addl. Advocate General 13

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for following
reliefs :-

*“For Issuance of appropriate writ/writs
in the natue of mandamus to command the
respondents No.1 to 5 for payment of differential
salary as well as arrears on enhancement of salary
w.e.f. 07.01.2018 to 30.04.2024 to petitioner by the
vide letter no. 136 dated 15.05.2024 and letter
no.v030-24/1049, Bhabua dated 07.06.2024 is
issued by respondent no.3 same has been
forwarded to respondent No.4 on 07.06.2024 even
then differential salary as well as arrears of
enactment of salary w.e.f. 07.01.2018 has not been
paid to petitioner w.e.f. 07.01.2018 till 30th April,*



2024 which contained in Annexure-1 series.”

3. Learned counsel submits that petitioner has filed representation before the Sub Divisional Agricultural Officer vide Annexure-P-02. He further submits that he is entitled for the relief in the light of Annexure-P-01 issued from the office of District Agricultural Officer, Kaimur, Bhabhua contained in letter No.1049 dated 07.06.2024.

4. Learned counsel for the State submits that the claim of the petitioner has to be decided from the competent authority and the representation has not been filed before the competent authority. He has filed before the Sub Divisional Agricultural Officer whereas he ought to file the representation before the District Agricultural Officer, Kaimur, Bhabhua.

5. In that view of the matter, this writ petition is disposed of directing the petitioner to file representation within 30 days from today before the District Agricultural officer, Kaimur, Bhabhua, who shall consider the representation of the petitioner and decide the same in accordance with law within 90 days from the date of filing of the representation.

(Dr. Anshuman, J)

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