

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15508 of 2024

Shrawan Kumar Singh, Son of Late Guneshwar Prasad Singh Resident of Village-Bhikana, P.O.-Bahadura, P.S.-Rupauli, District-Purnea and presently residing at DM Kothi Supaul, Ward No. 20, Nagar Parishad Supaul, Supaul, Bihar-852131.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of General Administration, Govt. of Bihar, Patna.
2. The Secretary, Bihar Staff Selection Commission, Patna.
3. The Additional Chief Secretary, Department of General Administration, Govt. of Bihar, Patna.
4. The Under Secretary, Department of General Administration, Government of Bihar, Patna.
5. The District Magistrate, Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Hrishikesh, Advocate
For the State	:	Mr. Sarvesh Kumar, GP 24
For the BSSC	:	Mr. Satyabir Bharti, Advocate
		Ms. Kanupriya, Advocate
		Mr. Abhishek Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 18-11-2024 Heard Mr. Hrishikesh, learned counsel appearing on behalf of the petitioner; Mr. Sarvesh Kumar, learned GP 24 for the State and Mr. Satyabir Bharti along with Ms. Kanupriya and Mr. Abhishek Anand, learned counsels for the BSSC.

2. Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

“For setting aside the Order dated 07.05.2024 issued vide Memo no.20/Nyay/-05-(Supaul)-61/2023-7373/Patna-15 dated 10.05.2024



under the signature of Under Secretary, Department of General Administration, Govt. of Bihar.

ii. For directing the respondents to regularize the service of the petitioner as driver in the Collectorate of Supaul District with effect from the month of August, 2007, in the light of the order dated 03.02.2005 passed in C.W.J.C. No.8442 of 1999 (Shrawan Kumar Singh Vs. the State of Bihar and others) read with the Order dated 09.05.2007 passed in M.J.C. No.2598 of 2005.

iii. For any other relief for which the Petitioner may be found entitled in the facts and circumstances of this case.”

3. Learned counsel appearing on behalf of the petitioner informs this Court that a decision was taken by the District Magistrate, Supaul in view of the order dated 06.09.2022 passed in MJC No.5270 of 2018 for complying the order passed in CWJC No.8442 of 1999 to appoint the petitioner as driver, as contained in Memo No.862-2 dated 01.10.2022. Petitioner thereafter joined on 06.10.2022 in the establishment of Supaul Collectorate. Thereafter, the District Magistrate vide Memo No.35-2 dated 16.01.2023, directed for regular payment to the petitioner with effect from his date of joining, i.e. 06.10.2022. It is the case of the petitioner that since the regular work was being taken from him w.e.f. August, 2007, he is entitled for back wages, which has not been given to him till



date.

4. Considering the aforesaid information contained in Memo No.35-2 dated 16.01.2023, the relief as sought for in the present writ petition appears to have been redressed, however, with regard to back wages claimed by the petitioner, having not been paid to him, he is directed to file a detailed representation before the Additional Chief Secretary, Department of General Administration, Government of Bihar, Patna. Since I don't consider the order contained in memo no.7373 dated 10.05.2024 (Annexure 9) is a non-speaking order without considering the claim of the petitioner for his entitlement and back wages from effective date in the year 2007, for which the petitioner is also required to give detail datewise engagement under the collecoriate establishment.

5. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

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