

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3118 of 2023

In
Civil Writ Jurisdiction Case No.9131 of 2023

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Vijay Kumar S/O Late Banaras Prasad (Bihar Administration Service),
Former Executive Officer, Nagar Parishad, Barbigaha and Nagar Panchayat
Sheikhopur Sarai, R/O Vill- Kajichak, Post- Ramnathpur, Police Station-
Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary namely Mr. Arunesh Chawla, Urban Development and Housing Department, liew Secretariat (Vikash Bhawan), Patna
2. The Principal Secretary namely Mr. B. Rajendra, General Administration Department, Old Secretariat, Patna.
3. The Deputy Secretary namely Mr. Rahul Barman, UDHD, New Secretariat (Vikash Bhawan), Patna.
4. The District Magistrate namely Mrs. J. Priya Darshini, District- Sheikhpura
5. Mr. Amit Kumar, the then Executive Officer, Nagar Parishad Barbigaha cum BDO, Barbigaha and present Executive Officer, Nagar Parishad, Brbigaha namely Sandeep Kumar and Rina Kumari, the then and present Executive Officer, Nagar Panchayat, Sheikhpur Sarai, cum BDO, Shekhopur Sarai, Shekhpura.
6. The Divisional Commissioner namely Mr. Kumar Ravi at Patna Division, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan, Advocate

For the Opposite Party/s : Mr. Kinkar Kumar (SC-9)

Mr. Neeraj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 06-03-2024 Heard learned counsel for the petitioner, State as also

learned counsel for the opposite party No. 5 (Executive Officer,

Barbigaha).

2. The coordinate Bench of this Court had directed the

Divisional Commissioner as well as the Executive Officer,



Barbiga to take appropriate steps and pass speaking order on the representation of the petitioner, so that the admissible dues is cleared to him.

3. Learned counsel for the petitioner submits that in complete violation of the order, the payment has not been made completely and for the last two months, the subsistence allowance has also not been made.

4. Mr. Neeraj Kumar who represent the Executive Officer, Barbiga submits that despite repeated request, the petitioner failed to return the official gadgets as also the registers. To this, learned counsel for the petitioner submits that he has returned all the gadgets as also the registers and a certificate also been issued by the office of the concerned opposite party.

5. To make the record straight, it would be appropriate that the petitioner appear before the Executive Officer, Barbiga on 15.03.2024 at 3:00 pm in his office, whereafter the Executive Officer is free to fix another date when all the materials which is required to be submitted by the petitioner will be handed over by him if still not handed over, so that the Executive Officer, Barbiga takes a decision on the payment of the dues as also if necessary to make recommendation to the Commissioner, Patna



Division in this regard.

6. The petitioner if required will be duty bound to submit the required form as asked by the office of the Divisional Commissioner, Patna, if still not submitted.

7. In view of the fact that an order has been passed, MJC No. 3118 of 2023 is disposed of.

8. However, the petitioner will always have the liberty if the opposite parties fail to take the matter to its logical conclusion as observed in the aforesaid paragraph by filing fresh petition.

9. The entire exercise has to be completed by the opposite parties within a period of two months from 15th of March, 2024.

(Rajiv Roy, J)

Adnan/-

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