

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3350 of 2023

In
Civil Writ Jurisdiction Case No.5996 of 2023

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Yoganand Mandal son of Shree Lal Mandal, resident of Village-Potri, Ward
No. 2, P.O. Majhua, P.S. Forbesganj, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development,
Government of Bihar, Patna namely Santosh Kumar Mall.
2. Sri Sandeep Kumar, the Executive Officer, Nagar Parishad, Forbesganj,
District-Araria.
3. Sri Kamakhya Narain Singh, the Head Clerk, Nagar Parishad, Forbesganj,
District-Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Anil Kumar Sinha, Advocate.
For the State	:	Mr. Shiv Kumar, AC to GA-3.
For Nagar Parishad	:	Mr. Rakesh Kumar Samrendra, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 05-07-2024 Heard Mr. Anil Kumar Sinha, learned counsel

appearing on behalf of the petitioner; Mr. Shiv Kumar, learned

AC to GA-3 for the State and Mr. Rakesh Kumar Samrendra,

learned counsel for the Nagar Parishad, Forbesganj.

2. Mr. Rakesh Kumar Samrendra, learned counsel for
the Nagar Parishad, Forbesganj informs that substantial amount
of retiral dues have been paid to the petitioner, however, the
Court's direction is required to be considered in light of the fact
that any period the petitioner has worked extra than the date of
his superannuation and before he had attained majority i.e. 18



years, the salary paid cannot be recovered from the petitioner and in this regard, steps are required to be taken to rectify the order strictly in view the law laid down by the Apex Court in the case of **Gopal Prasad Vs. Bihar School Examination Board & Ors. reported in (2020) 18 SCC 255.**

3. The contempt petition, accordingly, stands disposed of.

(Purnendu Singh, J)

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