

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18433 of 2024

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Shashi Ranjan Son of Late Om Prakash Chaubey R/O Village and Post -
Nathmalpur, PS - Badhara, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Govt. Of Bihar, Old Secretariat, Patna.
2. The Secretary, Department of General Administration, Govt. Of Bihar, Old secretariat, patna.
3. The Secretary, Department of Rural Development, Govt. of Bihar, Old Secretariat, Patna.
4. The District Magistrate-Cum-Chairman, District Compassionate Committee Ara (Bhojpur).
5. The Additional Collector-Cum-Chairman Enquiry Committee Ara (Bhojpur).
6. The Deputy Collector (Establishment) Ara, (Bhojpur).
7. The Deputy Collector (Nazarat), Ara (Bhojpur).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Dubey, Advocate Mr. Kumar Gaurav, Advocate Mr. Ashish Anand, Advocate
For the Respondent/s	:	Mr. Government Pleader (23)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-12-2024 Heard the parties.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction upon the respondents, especially respondent no. 4, to ensure the payment of arrears of salary for the period of July, 2010 to September, 2011, in terms of the Bihar State Litigation Policy, 2011, especially Clause 4(c)(1), which was enacted and enforced to minimize litigation granting similar treatment and benefits to prevent misuse of public



exchequer and precious time of the Court. The petitioner also prayed for consequential benefits by treating his date of appointment with effect from the date of his joining i.e. 07.07.2010.

3. Learned Advocate for the petitioner contended that the petitioner along with eleven persons were appointed as Revenue Karamchari vide Annexure-P/1 to the writ petition. Pursuant thereto, the petitioner along with others submitted their joining and started functioning. In the meantime, some complaints in respect to the appointment of the petitioner and others were made, which led to filing of the CWJC No. 1252 of 2011 by other aggrieved persons. It is made clear that since the case of the petitioner were not similar to them so far the allegation made, thus the petitioner did not join the writ petition, as aforesaid. The writ petition finally came to be allowed vide order dated 11.05.2011, directing the respondents to accept the joining of the petitioner and allow them to work on their respective post and start payment of salary, the copy of the order is marked as Annexure-P/2. Irrespective of the aforesaid facts, the petitioner was appointed as Revenue Karamchari by Compassionate Committee, as far back as on 29.06.2010 and his case was different to others, but the petitioner was also not



allowed to work; however, subsequent to the order of the Hon'ble Court, the stay of the petitioner's joining was vacated by the Additional Collector, Bhojpur vide Memo No. 1489/Raa dated 12.09.2011. Thereafter, the petitioner and others have been allowed the salary for their post with effect from 12.09.2011; nonetheless, the salary for the period of July, 2010 to September, 2011, has not been accorded, compelling the petitioner to approach before this Court.

4. On the other hand, learned Advocate for the State countering the submissions of the petitioner has contended that the joining of the petitioner was accepted way back in the year 2010 and even the stay order was also vacated in the year 2011, but the petitioner has approached this Court after a delay of 13 years.

5. Be that as it may, considering the fact that all those persons, who have approached before this Court in CWJC No. 1252 of 2011 have been accorded the arrears of salary, calculated from the date of their initial joining dates ignoring the claim of the petitioner, this Court deems it apt and proper to dispose off the writ petition and direct the respondent no. 4 to consider the case of the petitioner and ensures the arrears of salary for the period of July, 2010 to September, 2011 and all other



consequential benefits, as has been accorded to the other similarly situated persons, preferably within a period of twelve weeks, from the date of receipt/production of a copy of this order.

6. The writ petition stands disposed off.

(Harish Kumar, J)

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