

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1245 of 2022

=====

Rishi Kant Jha LATE ANANT NRAYAN JHA Resident of Hirani, Police
Station- Kusheshwar Sthan, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Mass Education, Education Department, Government of Bihar, Patna.
2. The Director, Mass Education, Education Department, Government of Bihar, Patna.
3. The Commissioner, Darbhanga Division, Darbhanga.
4. The District Magistrate, Darbhanga.
5. The Deputy Collector (Estb.), Darbhanga.
6. The Block Development Officer, Kusheshwarsthan, East, Darbhanga.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar, Advocate
For the Respondent/s : Mr. Kameshwar Kumar (GP-17)

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-12-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the present writ petition has been filed seeking limited relief, namely, for grant of payment of salary from 10.10.2018 till his retirement, i.e., 28.02.2019, on the post of Peon, to which he was appointed by virtue of Annexure-1 within Darbhanga District.

3. Counsel further submits that, under the peculiar circumstances of the case, the petitioner was selected at the fag



end of his career and served for a period of less than five months, for which payment of salary is due.

4. Learned counsel for the State submits that from Annexure P/9, i.e., Letter No. 390 dated 20.02.2019 issued by the B.D.O., Kusheshwar Asthan East, it is evident that the petitioner had given his consent to be appointed on a contractual basis even after retirement

5. It transpires to this Court from the record that information in this regard was given to the District Magistrate as well as the Block Development Officer, however, no action was taken. As per the pleadings and upon perusal of Annexure P/1, the name of the petitioner appears at Serial No. 1 in Memo No. 1553 dated 08.10.2018. According to the petitioner, he retired on 28.02.2019.

6. Thus, it transpires to this Court that if the petitioner had joined the post, he would be entitled to receive his salary, however, verification of the records is required in this regard.

7. In light of the submissions made hereinabove, this Court disposes off the writ petition, directing the petitioner to file a representation before the District Magistrate, Darbhanga (Respondent No. 4). Respondent No. 4 shall verify the representation and, if it is found that the petitioner had joined



the post and has not received his salary for the said period the
the respondent No. 4 shall ensure payment of salary to the
petitioner for the period he actually served.

8. It is made clear that a decision on the petitioner’s
representation shall be taken within a period of 90 days from the
date of production of a copy of this order.

(Dr. Anshuman, J.)

Aman Kumar/-

U			
---	--	--	--

