

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10639 of 2025

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Rajendra Prasad, Son of Gahit Prasad, resident of Village-Rampur, P.S.-
Barhara, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the D.G.P., Government of Bihar, Patna.
2. The Rail Superintendent of Police, Jamalpur, Bihar.
3. The Superintendent of Police, Bhojpur (Ara).
4. The Accountant Rail Police, Superintendent Office, Jamalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate
For the Respondent/s : Smt. Binita Singh, SC-28

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-07-2025

Heard the parties.

2. The petitioner has approached this Court seeking a direction upon the concerned respondent(s) to consider his claim for arrears of salary of five months from January 2020 to May 2020 with statutory interest, as the same has not been allowed even after his superannuation.

3. Learned Advocate for the petitioner contended that on account of some irregularity in handing over charge, the petitioner was subjected to departmental proceeding; however, in the meantime, the petitioner superannuated on 31.12.2020 and the proceeding was converted under Rule 43(b) of the Bihar Pension Rules, 1950. The proceeding culminated with a



direction to the petitioner to deposit an amount of Rs.25,000/-, failing which the same shall be recovered from his pension. In pursuant to the order passed by the disciplinary authority, an amount of Rs.25,000/- was paid by the petitioner in the concerned Treasury on 12.08.2021. In support of the aforesaid contention, money deposit receipt has also been placed on record as Annexure-P/3. Referring to the aforesaid facts, learned Advocate for the petitioner, thus contended that notwithstanding the fact that the departmental proceeding stood culminated and in pursuant thereto, penal amount has been deposited, but till date the claim of the petitioner for arrears of salary of five months from January 2020 to May 2020 has not been considered; hence, the present writ petition.

4. Learned Advocate for the State fairly submitted that for redressal of the grievance, the petitioner has already approached before the Superintendent of Police (Rail), Jamalpur by filing a representation, the copy of which is marked as Annexure-P/4.

5. Considering the materials available on record and the submissions set forth by the learned Advocate for the respective parties, it would be apt and proper to dispose off the present writ petition with a direction the respondent no.2 to



consider the representation of the petitioner dated 17.04.2025 as contained in Annexure-P/4 to the writ petition, in the light of the facts of this case mentioned hereinabove, and bring to its logical conclusion, preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

6. Suffice it to observe that in case the claim of the petitioner finds favour, necessary consequential order must be passed within the period stipulated.

7. The writ petition stands disposed off.

(Harish Kumar, J)

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