

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2008 of 2025

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Ramnandan Paswan Son of Ramsharan Paswan Resident of Village -
Milkichak, Police Station- Bahadurpur, District - Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Bihar, Patna.
2. The Secretary, Water Resources Department, Bihar, Patna.
3. The Chief Engineer, Water Resources Department, Siwan.
4. The Executive Engineer, Saran Division, Chhapra.
5. The Sub Divisional Officer, Flood Control Division Dighwara, Saran.
6. The Treasury Officer, Saran Division, Chhapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Respondent/s : Mr. Standing Counsel (4)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-02-2025 Heard Learned Counsel for the petitioner and Learned
Counsel for the State.

2. The present writ petition has been filed by the petitioner for issuance of writ in the nature of mandamus commanding the respondent authorities to make payment of retiral dues of the petitioner which are as follows:-

(a) Deduction of payment of salary from 26.08.2002
to 13.09.2002.

(b). Payment of yearly increment of petitioner.



(C) The benefit of A.C.P.

3. Learned Counsel for the petitioner has raised preliminary objection and submits that petitioner has retired in the year 2013 and after gap of about 12 years he has filed the present writ petition and demanding arrears of salary of 19 days. Counsel for the State submits that this case is absolutely time barred.

4. In response thereof, learned Counsel for the petitioner submits that petitioner is an old person, aged about 71 years, and he is demanding only salary for 19 days in the circumstance that the criminal case, which was pending against him resulted into acquittal.

5. Upon perusal of the record, it transpires that representation has been filed for demand of arrears of salary of 19 days but the present writ petition has been filed for payment of yearly increment and benefit of A.C.P. This Court is of the view that the petitioner shall file fresh representation before the Executive Engineer, Saran Division, Chhapra, who shall consider his claim and if found that petitioner is entitled for the salary then the salary is directed to be paid. So far payment of increment and A.C.P. are concerned, those demands are exorbitantly time bar. Therefore, on these two demands, this



Court is not giving any opinion but so far as arrears of salary is concerned upon scrutiny the authority shall consider his case and do the needful within 90 days from the date of filing of the representation.

(Dr. Anshuman, J)

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