

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2107 of 2022

=====

Manoj Kumar S/o Krishna Bahadur R/O Kacharwa Tola, Baralota, P.S.
Medininagar, District- Palamu, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar, Through its Secretary, Irrigation Department Patna.
2. The Joint Secretary, Minor Irrigation Department, Govt. of Patna Bihar.
3. The Deputy Secretary, Minor Irrigation Department, Govt. of Bihar.
4. The Chief Engineer Minor Irrigation Department, Govt of Patna Bihar.
5. The Superintending Engineer Minor Irrigation Department, Govt of Patna Bihar.
6. Executive Engineer Minor Irrigation Division Mohania District Kaimur at Bhabua.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Vinod Kumar Seth, Advocate Mr. Rajesh Kumar, Advocate
For the Respondent/s	:	Mr. Anirben Kundu (SC- 24)

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-04-2026 Heard learned counsel for the parties.

2. The petitioner has filed the instant application for
the following relief (s) :-

*“1. (a) To direct the respondents to pay the salary
of the Petitioner which is due from 01.03.2020 to
10.03.2021*

*(b) Any other relief(s) for which the Petitioner
entitled under the law and facts of the case.”*

3. The case of the petitioner in brief is that having
been appointed as *Chowkidar* at the office of the Minor
Irrigation Division, Bhabua on 1.12.1982 as a daily wage



employee and having worked to the satisfaction of all concerned, nevertheless, the petitioner was not paid his dues of salary for the period from 1.3.2020 to 10.3.2021. As such, the instant writ application.

4. A counter affidavit has been filed on behalf of the respondent nos. 2 to 6 sworn by the Executive Engineer, Minor Irrigation admitting the dues claimed for by the petitioner and expressing his inability to pay the same only for the reason of paucity of fund.

5. The relevant paragraph no.6 of the counter affidavit is reproduced herein below for ready reference :-

“6. That it may be relevant to state here that the concerned Executive Engineer, Minor Irrigation Division, Kaimur, Mohania, sent letter to the Deputy Secretary, Minor Water Resources Department, Patna vide its letter no. 1220 dated 01.10.2020 for payment of daily wages worker including this petitioner whose name is appeared at serial no.4 Thereafter the Executive Engineer requested to release/sanction a sum of Rs. 3,95,304.00 stating therein that due to paucity of fund payment has not been made to daily wages workers including this petitioner.

Photo copy of letter no. 1220 dated 01.10.2020 is annexed herewith and marked as



*Annexure-A to this counter
affidavit.”*

6. Having heard learned counsel for the parties and taking into consideration the contents of the petition, the writ application is allowed with a direction to the Executive Engineer, Minor Irrigation Division Mohania, District-Kaimur at Bhabua (respondent no.6) to pay the admitted amount to the petitioner for the period that he worked from 1.3.2020 to 10.3.2021 within a period of three months from the date of receipt/production of a copy of this order along with the representation being filed by the petitioner.

7. It is further directed that the other respondents shall make available the fund to enable the payment of the aforesaid amount.

8. The writ application stands allowed with the above observations and directions.

(Partha Sarthy, J)

Shiv/-

U			
---	--	--	--

