

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5249 of 2011

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1. Anil Kumar Singh, Son of Late Gaya Prasad Singh, resident of village Purshottampur, P.S. Maniyari, District Muzaffarpur
 2. Nawal Kishore Sharma, Son of Lal Babu Sharma, resident of village - Sahdullapur, P.S. Lalganj, District - Vaishali
 3. Rajiv Kumar, Son of Vikramaditya Prasad, resident of village Dahiawa Tola, P.S. Chapra, District Saran
 4. Ashok Kumar Chouhan, Son of Late Subh Narayan Singh, resident of village Kuriya, P.S. Kathiya, District Muzaffarpur
 5. Rabindra Kumar Singh, Son of Late Mithila Prasad Singh, resident of village Araria, P.S. Bhagwanpur, District Vaishali
 6. Anirudh Prasad Singh, Son of Late Gorakh Singh, resident of village Gharbhara, P.S. Bochaha, District Muzaffarpur

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Bishwaswariya Bhawan, Patna
2. The Engineer-In-Chief, Public Health Engineering Department, Bishwaswariya Bhawan, Patna
3. The Chief Engineer, Public Health Engineering Department, Bishwaswariya Bhawan Patna
4. The Superintending Engineer, P.H. Circle, Muzaffarpur
5. The Executive Engineer, P.H. Division, Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.
For the Respondent/s : Mr. AC to SC-14

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

13 19-04-2016 Heard Sri Vijay Kumar Singh, learned counsel for
the petitioners and learned AC to SC-14.

Six petitioners, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, have made a prayer for directing the Respondents to take over their services in permanent/regular establishment of Public Health Engineering



Department with all consequential benefits. By filing a supplementary affidavit, learned counsel for the petitioners has brought on record an office order issued by the Principal Secretary, Public Health Engineering Department, Govt. of Bihar contained in Memo No.899 dated 20.06.2014, whereby a decision was taken to regularise 492 employees, who were earlier engaged in the work charge establishment, on regular establishment.

Learned counsel for the petitioners submits that of course the first relief regarding regularisation has already been granted by the said order, there is no indication regarding consequential benefits.

In the writ petition, there is no assertion as to whether for the second relief after issuance of Annexure-14 to the writ petition i.e. order dated 20.06.2014, the petitioners have separately approached the authority concerned or not.

In view of facts that the main relief, which was for regularisation, has already been granted, the Court considers to dispose of the writ petition granting liberty to the petitioners to file separate representation before the authority concerned regarding claim of consequential benefits. If such applications are filed separately before the Principal Secretary, Public Health Engineering Department i.e. Respondent no.1 within eight weeks

from today, the Court expects that Respondent no.1 may examine the same and pass appropriate order in accordance with law preferably within a period of three months from the date of filing of such representation. Even in case of refusal, Respondent no.1 is required to pass speaking order and communicate the same to the petitioners within the aforesaid time.

With above observation and direction, the writ petition stands disposed of.

(Rakesh Kumar, J)

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