IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.737 of 2017

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Surendra Nath Tiwary, son of Sri Swami Nath Tiwary, Resident of village and P.O. - Nainijore, P.S. - Brahmpur, District - Buxar, the retired Senior Accounts Clerk in the office of Engineer-in-Chief, Minor Water Resources Department, Government of Bihar, Vishweshwaraiya Bhawan, Bailey Road, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Minor Water Resources Department, Government of Bihar, Patna.
5. The Engineer-in-Chief -cum- Additional Secretary -cum- Special Secretary, Minor Water Resources Department, Government of Bihar, Patna.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 1054 of 2017

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1. Ram Babu Singh, son of Late Sri Ram Ayodhya Singh, Resident of Village- Banjhia, P.O.- Bhopatpur, P.S.- Kotwa, District- East Champaran at Motihari, the retired Senior Accounts Clerk, Water Resources Department, Flood Control Division, East Champaran at Motihari.
2. Chandra Kishore Singh, son of Late Sukhdeo Singh, Resident of Village and P.O.- Pardesia, P.S.- Sheohar, District- Sheohar, the retired Senior Accounts Clerk, Water Resources Department, Flood Control Division, East Champaran at Motihari.
3. Harendra Narayan Singh, son of Late Laxmi Singh, Resident of Village- Ausanpur, P.O.- Gauchari, P.S.- Balthar, District- West Champaran at Bettiah, the retired Senior Accounts Clerk, Water Resources Department, Flood Control Division, East Champaran at Motihari.
4. Rameshwar Prasad Sinha, son of Late Sheo Nandan Prasad, Resident of Village- Agarwa, Motihari, P.O. Motihari, P.S.- Motihari Town, District- East Champaran at Motihari, the retired Senior Accounts Clerk, Water Resources Department, Flood Control Division, East Champaran at Motihari.
5. Om Prakash Prasad Sinha, son of Late Rameshwar Prasad, Resident of Village- Jhaur, P.O.- Warsaliganj, P.S.- Warsaliganj, District- Nawada, the retired Senior Accounts Clerk, Water Resources Department, Flood Control Division, East Champaran at Motihari.
6. Kapileshwar Mishra, son of Late Sahdeo Mishra, Resident of Village and P.O. Marukiya, P.S.- Khajauli, District- Madhubani, the retired Senior Accounts Clerk, Water Resources Department, Sikrahana Embankment Division, District- East Champaran at Motihari.
7. Devendra Jha, son of Late Kusheshwar Jha, Resident of Village- Pindauta Khurd, P.O. and P.S. Tisiauta, District- Vaishali at Hajipur, the retired Senior Accounts Clerk, Water Resources Department, Flood Control Division, East Champaran at Motihari.

.... Petitioner/s

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Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Engineer-in-Chief -cum- Additional Secretary -cum- Special Secretary, Water Resources Department, Government of Bihar, Patna.
6. The Chief Engineer, Flood Control and Drainage, Water Resources Department, Muzaffarpur.
7. The Executive Engineer, Water Resources Department, Flood Control Division, East Champaran at Motihari.
8. The Executive Engineer, Water Resources Department, Sikrahana Embankment Division, District- East Champaran at Motihari.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 2441 of 2017

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1. Nakul Kumar Mishra, son of Late Bhagwat Mishra, Resident of Village- Ekoria, P.O. Kunaini, P.S. Banka, District- Banka, the retired Senior Accounts Clerk, Irrigation Division, Baunsi, District- Banka.
2. Surendra Prasad Yadav, son of Late Kamli Prasad Yadav, Resident of Village- Belu Tikar, P.O. Jogdiha, P.S. Banka, District- Banka, the retired Senior Accounts Clerk, Irrigation Division, Baunsi, District- Banka.
3. Sanjay Kumar Singh, son of Sri Ram Sharan Singh, Resident of Village- Dogachchi, P.O. Tarar, P.S. Sanhaullah, District- Bhagalpur, the retired Senior Accounts Clerk, Office of the Executive Engineer, Ganga Pump Canal Division, Kahalgaon, Bhagalpur, District- Bhagalpur.
4. Manikant Jha, son of Late Kulanand Jha, Resident of Village and P.O. Bhan, P.S. Madhepura, District- Madhepura, the retired Senior Accounts Clerk, Electrical-cum-Mechanical Division, Balmi, Patna, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Minor Water Resources Department, Government of Bihar, Patna.
6. The Executive Engineer, Water Resources Department, Irrigation Division, Baunsi, District- Bhagalpur.
7. The Executive Engineer, Water Resources Department, Ganga Pump Canal Division, Kahalgaon, Bhagalpur, District- Bhagalpur.
8. The Executive Engineer, Water Resources Department, Electrical-cum-Mechanical Division, Balmi, Patna, District- Patna.

.... Respondent/s

With

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WEB COPY

Civil Writ Jurisdiction Case No. 2565 of 2017

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1. Rajan Kumar, Son of late Jagannath Singh, resident of Village- Khiri Dayal, P.S.- Nabi Nagar, District- Aurangabad, Presently posted as Senior Accounts Clerk, Building Construction Department, Building Circle, Gaya.
2. Firoj Khan, son of Late Mubarak Hussain Khan, resident of Village- Konra, Post- Barhi, District- Hazaribagh (Jharkhand), presently posted as Senior Accounts Clerk, Water Resources Department, Irrigation Mechancial Division, Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
3. The Principal Secretary, Building Construction Department, Govt. of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
5. The Secretary (Expenditure), Finance Department, Govt. of Bihar, Patna.
6. The Engineer-in-Chief, Building Construction Department, Govt. of Bihar, Patna.
7. The Chief Engineer (South), Building Construction Department, Govt. of Bihar, Patna.
8. The Superintending Engineer, Building Construction Department, Building Circle, Gaya.
9. The Engineer-in-Chief, Water Resources Department, Govt. of Bihar, Patna.
10. The Chief Engineer (Mechanical), Water Resources Department, Govt. of Bihar, Patna.
11. The Superintending Engineer, Water Resources Department, Irrigation Mechanical Circle, Gaya, Camp-Dehri-On-Sone, Rohtas.
12. The Executive Engineer, Irrigation Mechanical Division, Gaya.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 3546 of 2017

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1. Narendra Kumar, son of Late Jawala Prasad, Resident of Jawala Niwas, Ram Jaipal Nagar, Gola Road, Danapur, P.O.- Danapur, P.S.- Rupaspur, District- Patna, presently posted as Senior Accounts Clerk, Electric Work Division No.1, Building Construction Department, Patna.
2. Jai Prakash Narain Gupta, son of Late Deo Kumar Sahu, Resident of village and P.O.- Painathi, P.S.- Bihta, District- Patna, presently posted as Senior Accounts Clerk, Electric Work Division No.1, Building Construction Department, Patna.
3. Uma Shankar Pandey, son of Late Janam Pandey, Resident of Village and P.O.- Gopalpur Kothi, P.S.- Basantpur, District- Siwan, presently posted as Senior Accounts Clerk, Electric Work Division, Building Construction Department, Darbhanga.
4. Mithilesh Singh, son of Late Ram Anandi Singh, Resident of Village- Akauna, P.O. and P.S.- Punpun, District- Patna, presently posted as Senior Accounts Clerk, Electric Work Division No.2, Building Construction Department, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.

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2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Building Construction Department, Government of Bihar, Patna
5. The Engineer -in- Chief -cum- Additional Secretary -cum- Special Secretary, Building Construction Department, Government of Bihar, Patna.
6. The Executive Engineer, Electric Works Division No.1, Building Construction Department, Patna.
7. The Executive Engineer, Electric Works Division No.2, Building Construction Department, Patna.
8. The Executive Engineer, Electric Works Division, Building Construction Department, Darbhanga.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 4861 of 2017

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Anjani Kumar Sinha, Son of late Bindhyachal Prasad Sinha, Resident of Mohalla-Gaurakshani, Sasaram, P.O. and P.S. Sasaram, District- Rohtas at Sasaram, presently residing at C/O Dr. N.P. Srivastava, House No. 31/6, Hanuman Nagar, P.O. and P.S. Shastri Nagar, Districct- Patna, the retired Senior Accounts Clerk, office of Superintending Engineer, Construction Circle, Building Construction Department, Vishweshwaraiya Bhawan, Bailey Road, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Building Construction Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Building Construction Department, Government of Bihar, Patna.
6. The Superintending Engineer, Construction Circle, Building Construction Department, Vishweshwaraiya Bhawan, Bailey Road, Patna.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 5727 of 2017

==========

Sahdeo Upadhyay, Son of Late Baidyanath Upadhyay, Resident of Village and P.O. Dhanao, P.S.- Baniyapur, District- Saran at Chapra, Presetly Posted as Senior Accounts Clerk, Road constroction Department , Road Divison, Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Road Construction Department, Government of Biahr , Patna.
5. The Engineer-In-Chief-Cum-Additional Secretary-Cum-Special Secretary, Road

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Construction Department, Government of Bihar, Patna.
6. The Superintending Engineer, Road Construction Department, Bhojpur Road Circle, Ara null null
7. The Executive Engineer, Road Construction Department, Road Division, Buxar.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 5814 of 2017

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Ashok Kumar Verma son of Late Sidheshwar Prasad Verma, Resident of Mohalla - Indira Nagar, Road No. 4, Postal Park, P.O. - G.P.O., P.S. Kankarbag, District - Patna the retired Senior Accounts Clerk, office of Executive Engineer, Canal Design Division No. 3, Water Resources Department, Anishabad, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Water Resources Department, Government of Bihar, Patna.
6. The Chief Engineer, Central Design Research and Quality Control, Water Resources Department, Government of Bihar, Patna.
7. The Executive Engineer, Water Resources Department, Canal Design Division No. 3, Water Resources Department, Anishabad, Patna.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 6169 of 2017

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Lallan Prasad, Son of Late Buchan Sah, Resident of Mohalla- Shivpuri Colony, Dehri-on-Sone, P.O. Manikpur, P.S. Indrapuri, District- Rohtas at Sasaram, the retired Senior Accounts Clerk, office of the Executive Engineer, Road Construction Department, Road Division, Kochas, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure) Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Road Construction Department, Government of Bihar, Patna.
6. The Chief Engineer (Communication), Road Construction Department, South Bihar Wing, Bishweshwaraiya Bhawan, Bailey Road, Patna.
7. The Superintending Engineer, Road Construction Department, Bhojpur Road Circle, Ara.
8. The Executive Engineer, Road Construction Department, Road Division, Kochas, District- Rohtas.

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.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 6883 of 2017

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1. Madhav Mandal, son of Late Surya Narayan Mandal, Resident of Village and P.O. Durgapur, P.S.- Bhawanipur, District- Purnea, presently posted as Senior Accounts Clerk in the office of Executive Engineer, Local Area Engineering Organization, Gopalganj, District- Gopalganj.
2. Akhileshwar Prasad Srivastava, son of Late Ram Nandan Prasad, Resident of Village- Hariharpur, P.O.- Rupauli, P.S.- Saraiya, District- Muzaffarpur, presently posted as Senior Accounts Clerk in the office of Executive Engineer, Local Area Engineering Organization, Work Division-2, Banmankhi, Purnea, District- Purnea.
3. Bhagwan Mishra, son of Late Brahmakant Mishra, Resident of Village and P.O.- Gandhwari, P.S.- Sakri, District- Madhubani, presently posted as Senior Accounts Clerk in the office of Executive Engineer, Local Area Engineering Organization, Work Division-1, Bhagalpur, District- Bhagalpur.
4. Sunil Kumar Sinha, son of Late Surendra Prasad Singh, Resident of Asha Surendra Sadan, Mufati Mohalla, P.O.- Hazipur, P.S. Hazipur Town, District- Vaishali at Hazipur, presently posted as Senior Accounts Clerk in the office of Executive Engineer, Local Area Engineering Organization, Works Division-1, Bhagalpur, District- Bhagalpur.
5. Ram Khelawan Chaudhary, son of Munni Chaudhary, Resident of Village- Kamal Bigha, P.O. Birari, P.S.- Katrisarai, District- Nalanda at Biharsharif, presently posted as Senior Accounts Clerk in the office of Executive Engineer, Local Area Engineeing Organization, Work Division-1, Purnea, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Rural Works Department, Government of Bihar, Patna.
6. The Executive Engineer, Local Area Engineering Organization, Work Division, Gopalganj.
7. The Executive Engineer, Local Area Engineering Organization, Work Division, Gopalganj.
8. The Executive Engineer, Local Area Engineering Organization, Work Division-2, Banmankhi, Purnea.
9. The Executive Engineer, Local Area Engineering Organization, Work Division-1, Bhagalpur.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 7534 of 2017

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1. Dilip Kumar, son of Late Kamta Prasad Srivastava, Resident of Mohalla-

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Maripur, P.O. Head Post Office Muzaffarpur, P.S. Kazi Mohammadpur, District- Muzaffarpur, the retired Senior Accounts Clerk, Water Resources Department, Drainage Division, Muzaffarpur.

2. Anal Kumar, son of Late Mathura Prasad Singh, Resident of Mohalla- Brahmpura, Mandap Gali, P.O.- M.I.T., P.S. Brahmpura, District- Muzaffarpur, the retired Senior Accounts Clerk, Water Resources Department, Drainage Division, Muzaffarpur.
3. Dilip Kumar Trivedi, son of Late Gaya Prasad Trivedi, Resident of Mohalla- Sherpur, P.O.- M.I.C. Bela, P.S. Muzaffarpur Sadar, District- Muzaffarpur, the retired Senior Accounts Clerk, Water Resources Department, Drainage Division, Muzaffarpur.
4. Lalbabu Kumar Srivastawa, son of Late Jai Narain Prasad Srivastava, Resident of Mohalla- Kameshwari Vihar, Sherpur, P.O.- M.I.C. Bela, P.S. Kazi Mohammadpur, District- Muzaffarpur, the retired Senior Accounts Clerk, Water Resources Department, Drainage Division, Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure) Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Engineer-in- Chief-cum- Additional Secretary-cum- Special Secretary, Water Resources Department, Government of Bihar, Patna.
6. The Chief Engineer, Water Resources Department, Muzaffarpur.
7. The Superintending Engineer, Water Resources Department, Drainage Circle, Muzaffarpur.
8. The Executive Engineer, Water Resources Department, Drainage Division, Muzaffarpur.
9. The Executive Engineer, Water Resources Department, Flood Control Division, Muzaffarpur.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 7558 of 2017

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Pankaj Sinha, Son of Late Shashi Bhushan Prasad Sinha, resident of Flat No. 403A, R.K. Villa, Mahesh Nagar, P.S.- Patliputra, District- Patna, presently working as Senior Accounts Clerk, Works Division, Rural Works Department, Forbesganj, District- Araria, presently deputed in the office of the Engineer-in-Chief, Rural Works Department, Bihar, Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Finance Department, Govt. of Bihar Patna.
3. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
4. The Engineer-in-Chief, Rural Works Department, Govt. of Bihar, Patna.
5. The Superintending Engineer, Rural Works Department, Kishanganj Circle, Kishanganj.
6. The Executive Engineer, Rural Works Department, Works Division, Forbesganj, Araria.

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.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 8141 of 2017

==========

Suchitra Singh, wife of Late Parshuram Singh, resident of Village & PO- Torni, Via- Sheo Sagar, P.S.- Sheo Sagar, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief, Public Health Engineering Department, Govt. of Bihar, Patna.
4. The Superintending Engineer, Public Health Engineering Department, Munger Circle, Munger.
5. The Executive Engineer, Public Health Engineering Division, Jamui.
6. The Accountant General, Bihar, Patna.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 8535 of 2017

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1. Kanhaia Lal, son of Late Dhanushdhari Ram, Resident of Reshma Bhawan, Gautam Budh Nagar, Gorhana Road, Near Doomaria, P.O. Anaith, P.S. Nawada, District- Bhojpur at Ara, the retired Senior Accounts Clerk from the office of the Superintending Engineer, Road Construction Department, Bhojpur Road Circle, Ara.
2. Kesh Ranjan Singh, son of Late Baleshwar Singh, Resident of Pani Tanki, Mirganj, Ara, P.O. Ara Chowk, P.S. Ara Town, District- Bhojpur at Ara, the retired Senior Accounts Clerk from the office of the Executive Engineer, Rural Works Department, Work Division, Ara.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
5. The Engineer-in- Chief-cum- Additional Secretary-cum- Special Secretary, Road Construction Department, Government of Bihar, Patna.
6. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
7. The Engineer-in- Chief-cum- Additional Secretary-cum- Special Secretary, Rural Works Department, Government of Bihar, Patna.
8. The Superintending Engineer, Road Construction Department, Bhojpur Road Circle, Ara.
9. The Executive Engineer, Rural Works Department, Work Division, Ara.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 9113 of 2017

==========

Panch Deo Singh, son of Late Ramji Singh, Resident of Village - Hansrajpur, P.O. and P.S. Ekma, District - Saran at Chapra, the retried Senior Accounts Clerk, Road Construction Department, Mechanical Division, Ara, District - Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Department, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Road Construction Department, Government of Bihar, Patna.
6. The Executive Engineer, Road Construction Department, Mechanical Division, Ara.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 10523 of 2017

==========

Rajeev Ranjan Kumar Singh, Son of Late Ram Shankar Singh, Resident of Bhagwati Colony, Near R.N. College, Hazipur, P.S.- Hazipur Town, District- Vaishali, presently posted as Senior Accounts Clerk, Flood Control and Drainage, Lalganj, Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
3. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
4. The Under Secretary, Water Resources Department, Govt. of Bihar, Patna.
5. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
6. The Engineer-in- Chief, Water Resources Department, Govt. of Bihar, Patna.
7. The Chief Engineer, Flood Control and Drainage, Water Resources Department, Muzaffarpur.
8. The Superintending Engineer, Flood Control and Drainage Circle, Muzaffarpur.
9. The Executive Engineer, Flood Control and Drainage Division, Lalganj, Vaishali.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 10567 of 2017

==========

1. Rajesh Kumar, Son of Late Gajraj Singh, resident of Durga Mandir Lane, Majhauli Dharamdas, near Kachchi Pakki Chowk, P.S.- Sadar Bhagwanpur, P.O.- Ramna, District- Muzaffarpur, presently posted as Senior Accounts Clerk, Tirhut Canal Division, Ratwara, Muzaffarpur.
2. Rakesh Kumar Raman, Son of Late Harihar Lal, resident of Road No. 3, New Durgapuri Colony, near Pick and Pay Mall, B.M.P.- 6, Malighat, P.S.-

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Mithanpura, District- Muzaffarpur, presently Posted as Senior Accounts Clerk, Tirhut Canal Division, Ratwara, Muzaffarpur.

3. Kumar Saket Verma, Son of Late Pashupati Nath Verma, resident of Satpura, South of Dhankar Tola (Kameshwari Vihar), P.S.- Kazi Mohammadpur, District- Muzaffarpur, presently posted as Senior Accounts Clerk, Tirhut Canal Division, Muzaffarpur.
4. Sanjeev Kumar Singh, Son of Late Jitendra Narain Singh, resident of Adarsh Colony, North Side of D.C. College, at Dighi Kala, P.S.- Sadar, District- Hazipur, presently posted as Senior Accounts Clerk, Tirhut Canal Division, Hazipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
3. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
4. The Under Secretary, Water Resources Department, Govt. of Bihar, Patna.
5. The Secretary (Expenditure), Finance Department Government of Bihar, Patna.
6. The Engineer-in-Chief, Water Resources Department, Govt. of Bihar, Patna.
7. The Chief Engineer, Irrigation (Srijan), Water Resources Department, Motihari.
8. The Superintending Engineer, Tirhut Canal Circle, Muzaffarpur, Water Resources Department, Muzaffarpur.
9. The Executive Engineer, Tirhut Canal Division, Ratwara, Muzaffarpur.
10. The Executive Engineer, Tirhut Canal Division, Muzaffarpur.
11. The Executive Engineer, Tirhut Canal Division, Hazipur.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 12703 of 2017

==========

Kamlesh Kumar, Son of late Wakil Singh, resident of Village - Sultanpur, P.O. - Edhara, P.S. - Baghaila, District - Rohtas, presently residing at Road No. 15F, P.S. - Rajeev Nagar, District - Patna, presently posted as Senior Accounts Clerk, East Bihar Circle, Road Construction Department, Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
3. The Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
4. The Secretary (Expenditure), Finance Department, Govt. of Bihar, Patna.
5. The Engineer-in-Chief, Road Construction Department, Bihar, Patna.
6. The Chief Engineer, South Bihar Wing, Road Construction Department, Bihar, Patna.
7. The Superintending Engineer, East Bihar Circle, Road Construction Department, Bhagalpur.
8. The District Accounts Officer, Bhagalpur.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 13185 of 2017

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Vijay Narain Sinha, Son of Late Nritya Narain Singh, Resident of Mohalla-F/17, P.C. Colony, Kankarbag, P.O. and P.S. Kankarbag, District-Patna, the retired Accounts Clerk, Water Resources Department, Water Ways Division, Ghoshi, District-Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Water resources Department, Government of Bihar, Patna.
6. The Chief Engineer, Water Resources, Department, Gaya.
7. The Superintending Engineer, Water Resources Department, Water Ways Circle, Ghoshi, District-Jehanabad.
8. The Executive Engineer, Water Resources Department, Water Ways Division, Ghoshi, District-Jehanabad.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 13453 of 2017

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1. Birendra Kumar Singh, Son of Late Dirpal Singh, Resident of Village- Jagodih, P.O.- Paura, P.S.- Sarai, District- Vaishali at Hajipur, The Retired Senior Accounts Clerk, Officer of the Executive Engineer, Water Resources Department, Munahara Barrage Division, Jai Nagar, District- Madhubani.
2. Mahendra Paswan, Son of Late Asharfi Paswan, Resident of Village- Alalpatti, P.O.- Darbhanga Medical College, P.S.- Laheriasarai, District- Darbhanga, The Retired Senior Accounts Clerk, Office of the Executive Engineer, Water Resources Department, Munahara Barrage Division, Jai Nagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Water Resources Department, Government of Bihar, Patna. null null
6. The Executive Engineer, Water Resources Department, Munahara Barrage Division, Jai Nagar, District- Madhubani.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 17142 of 2017

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1. Lutful Haque, son of Late Mozammel Haque, Resident of Mohalla- Islam

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Nagar, P.O.- Bhikhampur, P.S.- Ishak Chak, District- Bhagalpur, presently posted as Senior Accounts Clerk, Road Construction Department, National Highway Division, Lakhisarai at Munger.

2. Rana Pratap Singh, Son of Late Mohan Singh, Resident of Mohalla- Adampur, P.O. and P.S.- Adampur, District- Bhagalpur, presently posted as Senior Accounts Clerk, Road Construction Department, Road Division, Bhagalpur.
3. Subhash Chandra Das, Son of Late Shaligram Prasad Das, Resident of Mohalla- Ishak Chak, P.O. and P.S.- Ishak Chak, District- Bhagalpur, Presently posted as Senior Accounts Clerk, Road Construction Department, Road Division, Bhagalpur.
4. Vinod Kumar Dubey, Son of Late Basant Kumar Dubey, Resident of Mohalla- Turki Nagar, P.O. and P.S.- Tilka Manjhi, District- Bhagalpur, retired Senior Accounts Clerk, Road Construction Department, Road Division, Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Road Construction Department, Government of Bihar, Patna.
6. The Superintending Engineer, Road Construction Department, National Highway Circle, Bhagalpur.
7. The Superintending Engineer, Road Construction Department, East Bihar Circle, Bhagalpur.
8. The Executive Engineer, Road Construction Department, National Highway Division, Lakhisarai at Munger.
9. The Executive Engineer, Road Construction Department, Road Division, Bhagalpur.
10. The District Accounts Officer, Bhagalpur.
11. The District Accounts Officer, Munger.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 17168 of 2017

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1. Umesh Prasad Sinha, Son of Late Ram Dayal Singh, Resident of Village and P.O. Chanpur, P.S. Bidupur, District- Vaishali at Hajipur the retired Senior Accounts Clerk, Minor Irrigation Division, Khagaria.
2. Anil Prasad, Son of Late Vishnudeo Prasad, Resident of village and P.O. Tetri, P.S. Dandrai, District- Begusarai, the retired Senior Accounts Clerk, Flood Control Division No. 2, Khagaria.
3. Abul Kalam Azad, Son of late Abul Hashim, Resident of Village- Ahmedganj, P.O. Bakaddu, P.S.- Sahebpur Kamal, District- Begusarai, the retired Senior Accounts Clerk, Minor Irrigation Division, Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure) Finance Department, Government of Bihar, Patna.

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4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Water Resources Department, Government of Bihar, Patna.
6. The Executive Engineer, Water Resources Department, Minor Irrigation Division, Khagaria.
7. The Executive Engineer, Water Resources Department, Flood Control Division No. 2, Khagaria.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 17363 of 2017

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Ram Sewak Mishra, Son of Late Ram Bilas Mishra, Resident of Village- Babupur, P.O. Ishopur, P.S.- Barahat, District- Bhagalpur, the retired Senior Accounts Clerk, Water Resources Department, Ganga Pump Canal Division, Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure) Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Water Resources Department, Government of Bihar, Patna.
6. The Chief Engineer, Sinchai Srijan Water Resources Department, Bhagalpur.
7. The Executive Engineer, Water Resources Department, Ganga Pump Canal Division, Kahalgaon, District- Bhagalpur.

.... Respondent/s

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Appearance :
(In CWJC No.737 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Anuj Kumar, AC to GP-24
(In CWJC No.1054 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Sarvesh Kumar, GP-24
(In CWJC No.2441 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Sri Ram Krishna, AC to SC-11
(In CWJC No.2565 of 2017)
For the Petitioner/s : Mr. Prashant Sinha, Adv.
For the Respondent/s : Mr. Sushil Kr. Singh, AC to AAG-10
(In CWJC No.3546 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. M.K.Ambastha, SC-26

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Mr. Subodh Kumar, AC to SC-26

(In CWJC No.4861 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Sushil Kr. Singh, AC to AAG-10
(In CWJC No.5727 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Ragjwemdra Kumar, SC-22
(In CWJC No.5814 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Harish Kumar, GP-8
(In CWJC No.6169 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Syed Iqbal Ahmad, SC-20
Mr. Mahtab Alam, AC to SC-20
(In CWJC No.6883 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Kumar Alok, SC-7
(In CWJC No.7534 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Vinay Kirti Singh. GA-2
(In CWJC No.7558 of 2017)
For the Petitioner/s : Mr. Prashant Sinha, Adv.
For the Respondent/s : Mr. Ajay, GA-5
(In CWJC No.8141 of 2017)
For the Petitioner/s : Mr. Prashant Sinha, Adv.
For the Respondent/s : Mr. S. Raza Ahmad, AAG-5
(In CWJC No.8535 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Manoj Kr. Ambastha, SC-26
(In CWJC No.9113 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Amit Prakash, GA-13
(In CWJC No.10523 of 2017)
For the Petitioner/s : Mr. Prashant Sinha, Adv.
For the Respondent/s : Mr. Sri Ram Krishna, AC toSC-11
(In CWJC No.10567 of 2017)
For the Petitioner/s : Mr. Prashant Sinha
For the Respondent/s : Mr. ANJANI KUMAR- AAG4
(In CWJC No.12703 of 2017)
For the Petitioner/s : Mr. Prashant Sinha, Adv.
For the Respondent/s : Mr. Neeraj Kr. Singh, AC to PAAG-2
(In CWJC No.13185 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.

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For the Respondent/s : Mr. Vinay Kirti Singh, GA-2
(In CWJC No.13453 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Vinay Kirti Ssingh, GA-2
(In CWJC No.17142 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Syed Ilna; Ahmad, SC-20
(In CWJC No.17168 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Sri Ram Krishna, AC to SC-11
(In CWJC No.17363 of 2017)
For the Petitioner/s : Mr. S.B.K. Manglam, Adv.
Ms. Anita Kumari, Adv.
For the Respondent/s : Mr. Harish Kumar, GP-8

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT
Date: 18-12-2017

Heard learned counsel appearing for the petitioners in the respective writ petitions and learned counsel appearing for the State in the respective writ petitions.

The petitioners in this batch of writ petitions have questioned the policy decision of the State, whereby they have been denied the benefits of Assured Career Progression, inter alia, on grounds that they are compassionate appointees or that they are holding the post by upgradation thereof or by way of absorption.

Counsel for the parties are in agreement that this very issue was raised and contested in a batch of writ petitions heard analogous with a matter arising from **CWJC No.18433 of 2016 (Shashi Shekhar Ambastha vs. The State of Bihar)** and this Court while quashing the policy decisions put to challenge in the

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said batch of writ petitions in so far as it had a restrictive application, has given direction to the authorities concerned to consider the case of the petitioners for Assured Career Progression with effect from their respective due dates. The batch of writ petitions were allowed with the following directions:

> "For the discussions aforementioned, the resolutions of the State Government in its Finance Department bearing No. 163 dated 8.1.2016 in so far as it restricts the benefit of Assured Career Progression to the Graduates exclusively together with its resolution bearing No. 5276 dated 30.6.2016 in so far as it restricts the benefit of Assured Career Progression to only petitioners in C.W.J.C.No. 18015/2011 and C.W.J.C.No. 16346/2011 as well as the opinion of the Secretary (Expenditure), Department of Finance, contained in his letter bearing No. 8083 dated 7.10.2016 at Annexure P-11 to restrict the benefit under resolution dated 8.1.2016 and 30.6.2016 to direct recruits exclusively and to outclass compassionate appointees, those appointed by absorption as well as the Accounts Clerks holding the post by upgradation, from its applicability, are patently discriminatory and are accordingly quashed and set aside.
>
> As a result, all consequential actions taken by the controlling departments against these petitioners are quashed and set aside. The State in its Finance Department together with the controlling departments of the petitioners are directed to accord the benefit of Assured Career Progression to these petitioners as extended to the petitioners in C.W.J.C.No. 18015/2011 and C.W.J.C.No. 16346/2011 from the due date in accordance with law within a period of three months from the date of receipt/ production of a copy of this order together with all consequential benefits."

Having considered the submissions and the pleadings on

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record, this batch of writ petitions are allowed in terms of the judgment and order of this Court passed in the case of **Shashi Shekhar Ambastha** (supra) and the relief allowed therein would govern the case of the present petitioners as well.

Since the orders impugned in this batch of writ petitions in so far as it has restricted application, has already been quashed by the judgment and order passed in the case of **Shashi Shekhar Ambastha** (supra) there is no requirement to pass a separate order to that effect.

The writ petitions are allowed but with no order as to costs.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02-01-2018
Transmission Date	NA

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