

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 8249 of 2016

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Lala Saw S/o Late Ganeshi Saw, resident of Village Ariyari P.S. & P.O.- Ariyari
Popharper, District- Shekhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Personnel and Administrative Reforms Department,
Government of Bihar, Patna.
4. The Principal Secretary, Finance Department, Government of Bihar, Patna.
5. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
6. Under Secretary, Finance Department, Government of Bihar, Patna.
7. Deputy Secretary, Rural Works Department, Government of Bihar, Patna.
8. The Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna.
9. Superintending Engineer, Work Circle Darbhanga.
10. Superintending Engineer, Rural Work Organisation work Circle, Darbhanga.
11. The Executive Engineer, Rural Works Department, Khagaria Division,
Khagaria.
12. The Executive Engineer, Rural Works Department, Saharsa Division, Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bakshi S. R. P. Sinha, Sr. Advocate
Mr. Pankaj Kumar Sinha, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha, G.A. 1

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 22-11-2017

Heard learned counsel for the petitioner and State.

2. The petitioner has claimed retiral benefits upon his
superannuation, which has been denied.

3. From the pleadings, it appears that the petitioner
remained in the work charge establishment till his superannuation
despite him having moved the Court earlier in C.W.J.C. No. 4261 of
2010, which was disposed off along with other cases on 13.02.2012,



directing the Committee constituted to consider the matter of absorption and to take a decision in accordance with law as per materials available with it at an early date preferably within three months from the date of receipt/production of a copy of the order.

4. It appears that no such final decision has been taken with regard to the petitioner, though with regard to a co-petitioner, Nandlal Mahto, a decision was taken in his favour.

5. The fact that till a decision is taken with regard to the status of the service of the petitioner in terms of the aforesaid order of the Division Bench dated 13.02.2012, payment of retiral benefits being consequential, no positive order can be passed in favour of the petitioner in the present writ application. However, as there is already an order of the Division Bench requiring the Committee to take a decision, let the same be done within three months from the date of production of a copy of this order before the respondent no. 5.

6. The writ petition stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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