

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20857 of 2013

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Kishori Mandal Son Of Late Ramawatar Mandal Resident Of Village- Garhi
(Rampur), P.S. Naya Ram Nagar, District- Munger

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineer Department, Government Of Bihar, Patna
3. The Engineer-In-Chief-Cum-Additional Secretary-Cum-Special Secretary, Public Health Engineer Department, Government Of Bihar, Patna
4. The Chief Engineer (Mechanical), Public Health Engineer Department, Government Of Bihar, Patna
5. The Superintending Engineer, Public Health Engineering Circle, Munger
6. The Superintending Engineer, Public Health Design And Planning Circle No. 2, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Respondent/s : Mrs. Binita Singh, SC-28

Mr. Kumar Kamal Nayan, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 20-12-2017

Heard learned counsel for the petitioner and counsel for the State.

In this case, the petitioner is claiming that the period of service should be treated from 1.4.1979 instead of 28.7.1988.

The petitioner was appointed on ad-hoc basis on 1.4.1979 and vide letter no. 59 dated 28.7.1988, he was regularized in service, vide Memo No. 282 dated 12.12.1988, he was given the higher pay-scale in the 4th Grade of Senior Selection Grade and the letter dated 15.5.1990 also indicates that he was regularized in service on 28.7.1988. For the first time, the Superintending Engineer, P.H.E.D., Munger vide letter dated 31.3.2010



has addressed letter to the Superintending Engineer, Public Health Design and Planning Circle No.2, Patna wherein he has mentioned that the petitioner had entered into service on ad-hoc basis on 1.4.1979, was regularized on 28.7.1988 and sought a clarification about the date of his regularization. He has further written a letter dated 25.5.2010 to the Superintending Engineer, Public Health Design and Planning Circle No.2 seeking his clarification with regard to application received from the petitioner. The letter dated 15.5.1990 very much indicates that the petitioner was regularized in service from 28.7.1988 and the higher scale was given from 1988. On receipt of the application, the Executive Engineer has written two letters seeking his opinion. This Court does not understand what has prompted the Executive Engineer to write a letter when everything was settled much earlier. However, no final decision has been taken as yet.

Let the Superintending Engineer, Munger Circle to take a decision on its merit expeditiously.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.01.2018
Transmission Date	NA

