

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1137 of 2016

IN

Civil Writ Jurisdiction Case No. 7244 of 2014

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Chandeshwar Prasad Singh, S/o Late Ram Parichan, R/o Village- Muriyaro, P.S.-
Titwarpur, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Engineer-in- Chief, Water Resources Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Minor Irrigation Department, Patna.
5. The Chief Engineer, Irrigation Department, Aurangabad, Bihar.
6. The Chief Engineer, Tube-Well Division Water Resources (Minor Irrigation)
Department Sri Krishna Nagar, Patna, Bihar.
7. The Chief Engineer, Water Resources Department, Birpur, Supaul.
8. The Executive Engineer, Irrigation, Tribeniganj Division, Tribeniganj, District-
Supaul.
9. The Executive Engineer, Irrigation, Mechanical Division, Aurangabad, Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Udit Narayan Singh, Advocate

For the Respondent/s : Mr. Chandra Shekhar Singh, AC to GA-10

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 20-06-2017

Having heard learned counsel for the parties and considering the fact that the appellant did not work from 23.02.1999 to 31.01.2005, kept quite till 2016, did not raise any grievance by approaching the Court within a reasonable time, the learned Writ Court has refused to interfere into the matter and denied salary of the appellant for the said period. The learned Writ Court on such consideration in dismissing the writ petition has not committed any



error. However, as the appellant has been treated to have been retired from 23.02.1999, in case, the appellant has not been paid pensionary benefits from 23.02.1999, the appellant shall have the liberty to claim pensionary benefits with effect from the date he was treated to have been retired by the Department, i.e. from February, 1999.

With the aforesaid liberty to the appellant to claim pensionary benefits from the date the Department has treated to have been retired, we dispose of the matter.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.06.2017
Transmission Date	

