

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20954 of 2012

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Gaurav Kumar S/O Late Surendra Prasad Singh, R/O Village- Begusarai, P.S.- Begusarai, District- Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Water Resources Deptt., Govt. Of Bihar, Patna
3. The Under Secretary (SECTION-3) Water Resources Deptt., Govt. Of Bihar, Patna
4. The Chief Engineer, Central Design and Research Water Resources Deptt., Anishabad, Patna
5. The Superintendent Engineer, Research and Training Circle, Khagaul, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Onkar Nath
For the Respondent/s : Mr. V.K. Singh, SC-5

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 07-09-2017 In the present writ application, the following reliefs have been sought for on behalf of the petitioner.

(i) Commanding the respondent authority particularly respondent no.5 to consider and grant the yearly salary increment in light of provision of Rule 148 of Bihar Board Miscellaneous Rule as this petitioner has requested the respondent authorities time on time after passing out of Hindi noting and drafting examination in the year 2010.

(ii) Further commanding the respondent authorities to follow the provision of Rule 148 of Bihar Board of Miscellaneous Rule and accordingly as per provision of law to grant annual increment.



It has been submitted on behalf of the petitioner that that the reliefs sought for by him have not been granted to him taking into account the Annexure-B to the counter affidavit, which is letter No.419 dated 02.05.2012, which has been issued by the Chief Engineer, Central Design and Research, Water Resources Department, Anishabad, Patna is in conflict to the earlier Letter No.5512 dated 23.12.2002 of the State Government. The correct interpretation of the Letter No.5512 dated 23.12.2002 has been made in the order dated 29.08.2013 passed by this Court in C.W.J.C. No.20928 of 2012. The case of the petitioner is squarely covered by the order passed in the aforesaid writ application, which is Annexure-4 to the I.A. No.970 of 2014.

Considering the aforesaid facts and circumstances, the petitioner is directed to file a representation before the Respondent No.4 i.e. The Chief Engineer, Central Design and Research, Water Resources Department, Anishabad, Patna for redressal of his grievances and the Respondent No.4 shall pass a reasoned order in accordance with law within a period of three months from the date of receipt of such representation taking into account the Annexure-4 to the I.A. No.970 of 2014. The Respondent No.4 shall further consider that the similarly



situated persons as that of the petitioner have already been granted similar relief, the petitioner will also be entitled for the same as per the State Litigation Policy of the State of Bihar.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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