

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17410 of 2010

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1. Rajneesh S/O Sri Ram Deo Prasad R/O Dev Shanti Bhawan, Chanakya Nagar, Near Vikalang School, Kumhrar, P.S.Agam Kuan, Distt-Patna, At Present Posted As Estimates Officer, Patna City Building Circle, Building Construction Department , Gulzarbagh, Distt-Patna
 2. Ravi Chand S/O Sri Sadanand R/O Vill +P.O.Telwa Bazar, P.S.Simultala, Distt-Jamui, At Present As Estimates Officer, Nalanda Building Circle , Building Construction Department , Biharsharif, Distt-Nalanda
 3. Sujeet Kumar Suman S/O Sri Sitaram Sainik R/O Vill Simra, P.O.Barahi Bazar, P.S.Aurangabad, Distt-Aurangabad, At Present Posted As Assistant Engineer, N.R.E.P., Rural Works Department , Biharsharif, Distt-Nalanda
 4. Bhaskar Kumar Neeraj S/O Sri Aditya Prasad Singh R/O Vill+P.O.Sarsauli, P.S.Jamhor, Distt-Aurangabad, At Present Posted As Assistant Engineer, Nalanda Building Division, Biharsharif, Distt-Nalanda
 5. Ranjeet Kumar S/O Sri Lakshmi Narayan Paswan R/O Vill Bajidpur, P.S.Sheikhpura, Distt-Sheikhpura, At Present Posted As Estimates Officer, Building Circle , Building Construction Department , Sasaram , Distt-Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Building Construction Department Vishwasaraiya Bhawan, Bailey Road, Patna
3. The Secretary, Rural Works Department Vishwasaraiya Bhawan, Bailey Road, Patna
4. The Commissioner & Secretary, Road Construction Department Null Road Construction Department , Vishwasaraiya Bhawan, Bailey Road, Patna
5. The Finance Commissioner Null Vishwasaraiya Bhawan, Bailey Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amitabh Sohan

For the Respondent/s : Mr. (Gp6)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-06-2018

Primarily, the present writ petition has been filed for directing the respondents to pay salary to the petitioners with



effect from the date of their joining and not from the date on which they had taken over charge of the post on which they were appointed.

The learned counsel for the respondents has referred to the notification dated 6.8.2008, whereby and whereunder the petitioners and others had been appointed, to contend that the monthly salary and other allowances were to be paid to the Assistant Engineer (civil) only from the actual date of taking over the charge on the post on which they had been appointed.

The petitioners in the present writ petition have annexed a judgment of this Court dated 8.5.2008 passed in CWJC No. 237 of 2001 whereby and whereunder this Court, referring to Rule 22 of the PWD Code has held that the pay and allowances etc. shall commence from the date of joining the service and not from the date of taking of the charges.

In view of the aforesaid, the present writ petition is allowed and the respondents are directed to pay to the petitioners the outstanding salary, allowances etc. for the period in between the date of joining and the date of taking of the charge.

(Mohit Kumar Shah, J)

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