

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13995 of 2010

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Chhatradhari Prasad Singh S/o Late Ballave Singh R/o B/18a Sheikhpura,
A.G.Colony, P.S. Shastrinagar, Distt-Patna

.... Petitioner/s

Versus

1. The State of Bihar through Secretary Water Resources Department (Jal Sansadhan Bibhag)
2. Executive Engineer, Jal Path Pramandal Udevasthan Jehanabad
3. Chief Engineer, Jal Sansadhan Deptt., Aurangabad
4. Accountant General Office of the Accountant General Birchand Patel Marg, Patna

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Bhubneshwar Prasad
For the A.G. : Mr. Anjani Kumar Sharan
For the State : Mr. Manoj Kumar Yadav, A.C. to G.A.-10

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 19-06-2018 The present writ petition has been filed for directing the respondents to pay the salary with all admissible allowances which is admissible for the post of Assistant Engineer with effect from 05.2.2000 to 30.09.2008 during the period when the petitioner had discharged the duties of Assistant Engineer.

The learned counsel for the petitioner submits that since the petitioner was discharging the duties of Assistant Engineer, he was required to be paid the salary as admissible to the Assistant Engineers.

Per contra, the learned counsel for the respondents has submitted that no regular promotion has been given to the



petitioner herein, hence he is not entitled to get any salary or other allowance for the post of Assistant Engineer. It has been further submitted that the petitioner has already been granted the benefits of 1st and 2nd A.C.P., hence the petitioner has been adequately compensated for the period when he had stagnated and was not granted promotion.

Having regard to the facts and circumstances of the case as also the fact that admittedly the petitioner has not been promoted, this Court finds that the petitioner is not entitled to the salary and allowances admissible to the post of Assistant Engineer.

In such view of the matter, there is no merit in the present case, hence the writ petition is dismissed.

(Mohit Kumar Shah, J)

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