

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19487 of 2010

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1. Kripal Mahto S/O Late Niranjana Mahto at Present Residing In Ganga Bridge Colony, Near Goor Ki Mandi, Pitambra Mandir, P.O. And P.S.- Alamganj, Distt.- Patna
 2. Sheonath Singh S/O Late Chaturi Singh Present Residing At Ganga Bridge Colony, Behind Pitamber Temple Goor Ki Mandi, P.O. Goolzarbagh, P.S.- Alamganj, Distt.- Patna
 3. Ramashray Ram S/O Late Mahabir Ram Presently Residing At Ganga Bridge Colony, Babuaganj, P.O.- Gulzarbagh, P.S.- Alamganj, Patna
 4. Ramjee Singh S/O Late Deonath Singh Residing At Ganga Bridge Colony, Babiaganj, P.O.- Gulzarbagh, P.S.- Alamganj, Patna
 5. Ashok Kumar Gupta S/O Ram Lakhan Prasad At Present Residing At Bariya, P.O.- Bariya, P.S.- Gaurichak, Distt.- Patna
 6. Ravindra Prasad Singh S/O Har Hangi Prasad At Present Posted National Highway Circle Darbhanga, Distt.- Darbhanga
 7. Pramod Kumar Verma S/O Late Ram Chandra Prasad Srivastava Presently Residing At Ram Bhadra Near Ram Chaura, P.O.- Hajipur, P.S.- Hajipur, Distt.- Vaishali

.... Petitioner/s

Versus

1. The State Of Bihar through Commissioner cum Secretary Department Of Road Construction, Govt. Of Bihar, Vishwariya Bhawan, Patna
2. The Engineer in Chief Department of Road Construction, Vishwaraiya Bhawan, Govt. Of Bihar, Patna
3. The Chief Engineer National Highway Branch, Vishwaraiya Bhawan, Department of Road Construction, Patna
4. Superintending Engineer National Highway Work Circle, Department Vishwaraiya Bhawan, Govt. Of Bihar, Patna
5. Superintending Engineer National Highway Circle, Darbhanga, Bihar, Patna
6. Executive Engineer, National Highway Division, Patna
7. Special Secretary Department Of Road Construction, Govt. Of Bihar, Patna

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Mishra
: Mr. Ashok Kumar
For the Respondent/s : Dr. Mankeshwar Tiwari, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 06-08-2018 The present writ petition has been filed by the original petitioner for directing the respondents to make payment of additional remuneration/allowances to the original writ petitioners for the work which have been done by them as Toll Clerk and for quashing the



office order dated 07.09.2009 passed by the Superintending Engineer, National Highway Circle, Patna.

The short point raised by the petitioners is that the said order dated 07.09.2009 has been passed rejecting their representation on the premise that the petitioners were required to submit representation within four months which they have not done. A bare perusal of the order dated 12.11.2008 passed in C.W.J.C. No.1794 of 2002 would show that the respondents were in fact directed to dispose of the case of the petitioners within four months and there was no limit for the petitioners to file representation.

On the aforesaid short ground, the office order dated 07.09.2009 is quashed and the matter is remanded to the respondent no. 4 to reconsider the matter. For facilitating quick disposal of the case of the petitioners, it would be expedient that the petitioners submit their representation within a period of four weeks positively along with all the evidences regarding the petitioners having worked on officiating basis etc. and thereafter the respondent no.4 shall decide the case of the writ petitioners within a further period of eight weeks by passing a reasoned and speaking order.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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