

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19115 of 2017

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1. Bijay Kumar s/o Late Gopal Prasad Resident of Village - Gudri Bazar, Salpatganj, P.S. - Bhagwan Bazar, District - Chapra.
 2. Raghubir Sah s/o late Ram Lakshman Sah Resident of Village - Hariharpur, P.S. - Devani, District - Chapra (Saran).
 3. Ramashankar Singh s/o late Bansilal Singh Resident of Village - Balia, P.S. - Rohulpur, District - Saran.
 4. Bishwanath Singh s/o late Dinanath Singh Resident of Village - Chhota Telpa Chapra, P.S. Town Thana Chapra, District - Chapra.
 5. Pramod Kumar Pandey s/o late Ram Pratap Pandey Resident of Village - Pandeypur, P.S. - Dubahar, District - Balia (U.P.)
 6. Balmiki Yadav s/o late Pundeo Rai Resident of Village - Sherpurganj, P.S. - Moffasil Chapra, District - Chapra.
 7. Shivshankar Prasad Rai s/o late Lalji Rai Resident of Village Chhota Thana, P.S. - Awtar Nagar, District - Chapra. All are presently posted and working as pump operator at P.H. Mechanical Division, Chapra under Public Health Mechanical Division, Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through Commissioner-cum-Secretary, Public Health Engineering Department (P.H.E.D.), Bishweshwaraiya Bhawan, Bailey Road, Patna.
2. The Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The Chief Engineer (Mechanical), Public Health Engineering Department, Public Health Engineering Department, Bishweswaraiya Bhawan, Bailey Road, Patna.
4. The Superintending Engineer, Mechanical, P.H. (Mechanical) Circle, Muzaffarpur.
5. The Executive Engineer, Public Health Mechanical Division, Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Veerendra Narayan
For the Respondent/s : Mr. Arvind Ujjwal, SC-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-05-2018

The learned counsel for the parties are in agreement that the present case, which involves the issue pertaining to counting of the period of service rendered by the employees in work charge



establishment, upon absorption, for the purposes of computing the period for granting the benefits of ACP and MACP as well as the pensionary benefits, is covered by a judgment of this Court dated 12.4.2012 passed in CWJC No. 19195 of 2011.

In view of the aforesaid, the present writ petition is disposed of with a direction to the respondents to examine the case of the petitioners and pass final orders within six weeks from today, by taking into account the period of service rendered by the petitioners in the work charge establishment for the purposes of computing the total period of service undergone for granting the benefits of ACP/MACP as well as pensionary benefits.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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