

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 7511 of 2019

1. Trinetra Kumar Son of Late Ranbir Prasad Singh R/o Village - Balwapar, P.O. - Sirsi Dihra. P.S. - Harnaut, District - Nalanda.
2. Sanjay Kumar Son of Late Surendra Kumar R/o Mithanpura, P.S. - Ramna, District - Muzaffarpur.
3. Ravish Kumar Son of Late Sita Sinha, R/o Vijay Nagar, Hanuman Nagar, P.S. - Patrakarnagar, District - Patna.
4. Mithilesh Kumar Son of late Rajendra Prasad Pandey, R/o Malgodam Road, Ward No. 2, P.O., P.S. and District - Khagaria.
5. Umakant Singh Son of Late Hiralal Singh R/o Village and P.O. - Munji, P.S. - Karakat -Goraria, District - Rohtas.
6. Vashisth Kumar Son of Late Ram Vilash Singh R/o At and P.O. - Baraon Kala, P.S. - Akodhi Gola, District - Rohtas.
7. Raj Kumar Son of Late Devendra Prasad R/o Village - Gola Road, P.O. and P.S. - Danapur, District - Patna.
8. Keshwav Kunal Son of Late Dayanand Prasad Singh R/o Village and P.O. - Binan, P.S. - Ariari, District - Sheikhpura.
9. Ranjit Kumar Srivastava S/o Late Karuna Kant Prasad R/o Village- Kishunpura, P.O. and P.S. - Masrakh, District - Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Additional Secretary, Rural Works Department, Govt. of Bihar, Patna.
5. The Engineer-in-Chief- cum-Additional Commissioner-cum-Special Secretary, Rural Works Department, Govt. of Bihar, Patna.
6. The Chief-Engineer-I, Rural Works Department, Govt. of Bihar, Patna.
7. The Chief-Engineer-II, Rural Works Department, Govt. of Bihar, Patna.
8. The Chief-Engineer-III, Rural Works Department, Govt. of Bihar, Patna.
9. The Chief-Engineer-IV, Rural Works Department, Govt. of Bihar, Patna.
10. The Superintending Engineer, Rural Works Department, Works Circle, Aurangabad.
11. The Superintending Engineer, Rural Works Department, Works Circle, Ara.
12. The Superintending Engineer, Rural Works Department, Works Circle, Bhagalpur.
13. The Superintending Engineer, Rural Works Department, Work Circle, Munger.
14. The Superintending Engineer, Rural Works Department, Work Circle,



Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Siyaram Pandey, Advocate
For the Respondent/s : Mr Karandeep Kumar, AC to GP VI

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioners and the respondent-State.

Learned counsel for the petitioners submits that claim in the writ petition is for setting aside the order whereby the petitioners have been reverted from the post of Junior Accounts Clerk to the post of Lower Division Clerk.

In this connection, petitioners have given a representation before the Engineer-in-Chief, Rural Works Department placing reliance on a decision of this Court in the case of Binit Kumar & Others -Versus- State of Bihar & Others arising out of CWJC No 9921 of 2017.

Having regard to the said representation, it is submitted that if the respondent-Engineer-in-Chief examines the claim of the petitioners in light of the decision of this Court in the case of Binit Kumar & Others (supra), the petitioners are likely to get their relief from the Authority itself.

Having regard to the said submission, writ petition is



disposed of.

Engineer-in-Chief (respondent No 5) should dispose of the representation filed by the petitioners having regard to the petitioners' claim based on the judgment in the case of Binit Kumar (supra) by a reasoned and speaking order in accordance with law expeditiously and without any undue delay.

While disposing of the petitioners' claim, respondents should be conscious of the Bihar State Litigation Policy, 2011 (for brevity, BSLP, 2011) in so far as covered matters are concerned. Provisions of Clause 4.C (1) of the BSLP, 2011 shall be borne in mind by the Authority while disposing of the claim of the petitioners.

(Madhuresh Prasad, J)

M.E.H./-

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