

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8483 of 2019

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1. Ram Babu Ram Son of Late Yadu Nandan Ram Resident of Village- Muradpur Dulla, P.O. Bhikhanpur, P.S. Ahiyapur, District- Muzaffarpur.
 2. Anandi Kumar Ram Son of Late Deo Nandan Ram resident of Village- Erazi Nanhkar, P.O.- Gulabara Madhuban, P.S. Madhuban, District- East Champaran.

... .. Petitioners

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
4. The Additional Secretary, Rural Works Department, Govt. of Bihar, Patna.
5. The Engineer-in- Chief, Rural Works Department, Govt. of Bihar, Patna.
6. The Chief Engineer-3, Rural Works Department, Govt. of Bihar, Patna.
7. The Superintending Engineer, Rural Works Department, Works Circle, Bettiah.
8. The Executive Engineer, Rural Works Department, Works Division, Bagaha-II, West Champaran.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Prashant Sinha
For the Respondent/s : Mr.Archana Meenakshee (Gp6)

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 2 26-09-2019 Counsel for the petitioners submits that they are aggrieved by order dated 2.11.2016 bearing memo no. 12402 issued by the Rural Works Department. The very same decision has been set aside by this court in the proceedings arising out of CWJC NO. 9921 of 2017. Others who were affected by the said order have been granted benefits of quashing of the decision of the Rural Works Department, petitioners however till date have not been reverted to their original status or granted benefits on account of quashing of the said order of



the department.

Since the entire issue has been adjudicated in the earlier proceedings and the very same order, by which the petitioners are affected, has been set aside and quashing of the same has been affirmed even by the Division Bench in the proceedings arising out of LPA No. 1702 of 2018 as well as by Apex Court, a separate order need not be issued in favour of the petitioners. It goes without saying that the benefits of the quashing of the order dated 2.11.2016 is to be extended to all who are similarly situated and who had earlier been prejudiced on account of the same departmental order. The petitioners should therefore approach the department for being extended the same benefits.

Counsel for the petitioner submits that referring to the judgments of this Court as well as Apex Court they will stake their claims before the authorities. Needless to say that in view of the observations herein above the authorities should consider the matter. While considering the claim of the petitioners the authorities should bear in mind the provisions contained in their own State Litigation Policy 2011 in Clause 4(C)(i). Benefits admissible to the petitioners on account of quashing of the order of the department dated 2.11.2016 should be granted expeditiously and without any further delay, if there is no other impediment in grant of the same.

The writ petition stands disposed of.

(Madhuresh Prasad, J)

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