

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.644 of 2015

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Sheo Shankar Jha Son of-Sri Bishwambhar Jha Resident of-36, Anand Apartment, P.S.-Shastri Nagar, District-Patna.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Additional Secretary, Road Construction Department, Bihar, Patna.

... .. Respondents

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with

Civil Writ Jurisdiction Case No. 664 of 2015

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Shyam Krishna son of Late Parmeshwar Pd. R/o A-36, Vrindavan CGHS Plot No. 6, Dwarka, New Delhi

... .. Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Additional Secretary, Road Construction Department, Bihar, Patna.

... .. Respondents

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with

Civil Writ Jurisdiction Case No. 660 of 2015

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Ranjeeta Prasad Wife of J.B. Srivastava, Resident of Sheikhpora, Rajbazar, P.S. - Shastri Nagar, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Additional Secretary, Road Construction Department, Bihar, Patna.

... .. Respondents

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Appearance :

(In Civil Writ Jurisdiction Case No. 644 of 2015)

For the Petitioner/s : Mr.Prabhu Nath Pathak

For the Respondent/s : Mr. Shankar Kumar Thakur, AC to GP 27

(In Civil Writ Jurisdiction Case No. 664 of 2015)

For the Petitioner/s : Mr.Prabhu Nath Pathak



For the Respondent/s : Mr. Shankar Kumar Thakur, AC to GP 27
(In Civil Writ Jurisdiction Case No. 660 of 2015)
For the Petitioner/s : Mr. Prabhu Nath Pathak
For the Respondent/s : Mr. Shankar Kumar Thakur, AC to GP 27

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

19 02-04-2019 It is submitted by petitioners' Counsel that by placing reliance on the judgment in the case of *Binay Kumar Thakur vs State of Bihar & ors* in the proceedings arising out of *CWJC No. 2267 of 2018*, the petitioners will make representation before respondent No. 2. It is his assertion that the claim of the petitioners is at par with Binay Kumar Thakur.

Counsel for the State seriously disputes this submission.

In view of such dispute being raised by the parties in the proceeding and having regard to the fact that the petitioners seek liberty to approach respondent No. 2 for consideration, this Court would refrain from making any observation on the merit of the claim which is yet to be raised by the petitioners and yet to be considered by respondent no. 2.

If the petitioners' claim is found covered by the case of Binay Kumar Thakur, it is needless to observe that it would be incumbent upon the respondent authority to grant the same benefit. If not covered, then also it is open to the respondents to reject their claim but before doing so the authorities would



have to deal with the claim and record reasons for distinguishing the claim.

The writ petition is disposed of in view of the submission of the petitioners' Counsel that they would be making claim before respondent No. 2.

(Madhuresh Prasad, J)

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