

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18919 of 2014

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Ram Swarup Prasad Yadav son of Late Komal Prasad Yadav at present
residing at C/o N.P. Singh, House no. 116, Tulsi Nagar, Tilka Manjhi,
Bhagalpur ... Petitioner

Versus

1. The State Of Bihar through the Secretary, Rural Works Department, Govt of Bihar, Patna
2. The Engineer-in-Chief, Rural Works Department, Bihar, Patna.
3. The Chief Engineer, Rural Works Department, Bhagalpur.
4. The Superintending Engineer, Rural Works Department, Works Circle, Bhagalpur.
5. The Executive Engineer, Rural Works Department, Works Division, Bhagalpur

... ... Respondents

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Appearance :

For the Petitioner	:	Mr. Ankit Katriar, Advocate
For the State	:	Mr. Gyan Prakash Ojha, GA 7
		Mr. Gopal Krishna, AC to GA 7

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 11-03-2019 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Petitioners' counsel submits that the issue regarding
petitioners' claim for his absorption in regular establishment is
now covered by a Full Bench decision in the case of **Mobina
Khatoon Vs State of Bihar and others**, reported in **2019(2)
BLJ (9) FB**. He submits that in respect of petitioner's claim
relying upon the Full Bench decision, he would be approaching
the Engineer - in – Chief, Rural Works Department, Bihar, Patna
(respondent no.2) giving details of his past services under the
work charge establishment.



Since the issue is to be decided by respondent no.2, no useful purpose would be served by keeping the writ petition pending. This Court would only observe that if the petitioner makes his application to this effect within four weeks and his case is covered by the decision of the Full bench, respondent authorities in view of the provisions contained in Clause 4.C (1) of the Bihar State Litigation Policy, 2011 would be obliged to dispose of the same by a speaking and reasoned order extending the same benefits to the petitioner in accordance with law within eight weeks thereafter.

Writ petition is disposed of.

(Madhuresh Prasad, J)

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