

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12390 of 2019

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Ambika Prasad, son of Late Vazeer Prasad, resident of Village- Baribishahar,
Post Office and P.S.- Barahat, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary Government of Bihar, Old Secretariat, Patna.
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Water Resources Department, Government of Bihar, Sinchai Bhawan, Patna.
4. The Engineer- in- Chief -cum- Additional Commissioner -cum- Special Secretary, Flood Control and Water Drainage, Water Resource Department, Government of Bihar, Sinchai Bhawan, Patna.
5. Engineer-in-Chief, Headquarter, Water Resource Department, Bihar, Sinchai Bhawan, Patna.
6. The Joint Secretary, Water Resources Department, Government of Bihar, Sinchai Bhawan, Patna.
7. The Joint Secretary (Management) Water Resources Department, Government of Bihar, Sinchai Bhawan, Patna.
8. The Deputy Secretary (Management), Water Resources Department, Government of Bihar, Sinchai Bhawan, Patna.
9. The Under Secretary (Management), Water Resources Department, Government of Bihar, Sinchai Bhawan, Patna.
10. The Principal Secretary, Finance Department, Government of Bihar, Old Secretariat, Patna.
11. The Secretary (Expenditure), Finance Department, Government of Bihar, Old Secretariat, Patna.
12. Accountant General (A and E), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratnesh Kumar Singh, Advocate
For the Respondent/s : Mr. Vinay Kirti Singh (GA-2)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-06-2019 Heard the learned counsel for the petitioner and

the State.



2. Mr. Ratnesh Kumar Singh, learned counsel for the petitioner submits that the case of the petitioner is exactly similar to the case of Shankar Bhagwan Prasad, which has been decided on 03.07.2018 in C.W.J.C. No. 7245 of 2017 by a Bench of this Court.

In the aforesaid case, the notification, which has been impugned in the present petition also, namely, notification contained in Memo No. 490 dated 27.03.2017, has been quashed and the writ petitioner has been held to be entitled to the benefits in the shape of arrears of salary from the date of his joining, which has been directed to be paid on a representation to be filed by the aforesaid petitioner.

Since the case of the petitioner is exactly similar to that of Shankar Bhagwan Prasad about which reference has been made earlier and the same notification has been impugned in the present petition, which has been quashed in the earlier writ petition, the petitioner would also be governed by the same order.



In that event, if the petitioner makes a representation before the concerned respondent annexing a copy of the order passed in C.W.J.C. No. 7245 of 2017 along with this order, within a period of four weeks, the concerned respondent shall dispose of the representation by passing necessary sequel order in accordance with law within a further period of four weeks of the receipt of such representation. If the representation would contain other issues also, those too shall be addressed by the concerned respondent within the aforesaid period.

With the aforesaid observation/direction, this petition stands disposed of.

(Ashutosh Kumar, J)

Shageer/-

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