

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13350 of 2011

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MASOMAT KULSUM KHATOON W/O Late Aash Mohammad R/O Vill.-
Bela, P.O. Laukha, P.S.- Khutauna, Distt.- Madhubani

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Engineer-In-Chief, Rural Works Department, Govt. Of Bihar, Patna
3. The Chief Engineer, Rural Works Department, Govt. Of Bihar, Patna
4. The Superintendent Engineer, Rural Works Department Works Division,
Darbhanga
5. The Executive Engineer, Rural Works Department Works Division,
Jhanjharpur
6. The Assistant Engineer, Rural Works Department, Works Division Khutauna
Distt.- Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Jha
For the State	:	Mr.Niraj Kumar, Ac to GA 10
For the AG		Mr. Satyendra Kr. Jha

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

12 29-07-2019 Heard counsel for the petitioner and counsel for the
respondents.

Counsel for the petitioner submits that the claim of
the petitioner is in respect of recognition of the period of service
rendered as work charge employee for the purpose of grant of
pension. Petitioner relies upon decision of the Full Bench
decision of this court in the case of Mobina Khatoon vs. State of
Bihar & others reported in 2019 (2) BLJ page 9.

Claim of the petitioner based on the said judgment has
to be considered by respondent no.4.



Having regard to the aforesaid submissions and since claim has to be examined by the respondent, pendency of the writ petition would be futile.

Writ petition is disposed of with liberty to the petitioner to approach respondent no.4 (The Superintendent Engineer, Rural Work Department, Work Division, Darbhanga) by detailed representation in light of judgment of Full Bench taken note of hereinabove. Respondent no.4 would be obliged to consider claim of the petitioner and if claim of the petitioner is found covered by the said judgment, benefit should be extended to the petitioner. Let the petitioner submit representation before respondent no.4.

In the event of filing such representation within four weeks, respondent no.4 should consider the petitioner's claim and dispose it of by reasoned and speaking order within eight weeks thereafter. Dues, if found admissible should be paid to the petitioner within eight weeks thereafter.

Writ petition is disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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