

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 1524 of 2016

Subhash Chandra Bhardwaj Son of Late Yugal Prasad Singh Resident of
village + P.O. Naya Nagar, P.S. Hasanpur Road, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna
2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna
3. The Joint Secretary, Public Health Engineering Department, Bihar, Patna
4. The Engineer -in- Chief -Cum- Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna
5. The Chief Engineer (Mechanical), Department of Public Health Engineering, Govt. of Bihar, Patna
6. The Superintending Engineer, Public Health Engineering Circle, Begusarai
7. The Executive Engineer, Public Health Division, Begusarai
8. The Sub - Divisional Engineer, Barauni Sub - Division, District Begusarai
9. The District Magistrate, Begusarai

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr Siyaram Pandey, Advocate
For the State	:	Mr Gyan Prakash Ojha, GA VII with Mr Gopal Krishna, AC to GA VII

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioner and the respondent-State.

It is submitted by the learned counsel for the petitioner that he is entitled to counting of his service for the purposes of retiral dues and other benefits from the date of his appointment on 24.09.1988 in the work charge establishment. Learned counsel for the petitioner submits that Annexure 5 is the Governmental decision in this respect. He has also referred



to certain pronouncement of this Court in favour of the petitioner's claim.

There is nothing on record to suggest that the petitioner has ever approached the authorities for the relief claimed in the instant writ petition though he has retired on 27.04.2012. Straightway four years thereafter, he has rushed this Court without ever approaching the Authority.

It is submitted that the petitioner has filed some representation after approaching this Court. However, he would be making a comprehensive application/representation before respondent No 4 based on the decision of the Government, contained in Annexure 5, as also the legal pronouncement of this Court in support of the petitioner, in *LPA No 416 of 2013*.

In view of such submission, the writ petition is disposed of with liberty to the petitioner to approach respondent No 4 in respect of his claim.

If such claim is filed within four weeks, the Authority would be obliged to consider the same expeditiously and preferably within three months thereafter.

(Madhuresh Prasad, J)

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