

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13339 of 2019

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Praveen Shankar, son of late Hardeo Prasad Yadav resident of Ahiyapur,
Krishna Nagar, P.S. Ahiyapur, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Additional Secretary, Rural Works Department, Govt. of Bihar, Patna.
5. The Engineer-in- Chief-cum- Additional Commissioner-cum- Special Secretary, Rural Works Department, Govt. of Bihar, Patna.
6. The Chief- Engineer- III, Rural Works Department, Govt. of Bihar, Patna.
7. The Superintending Engineer, Rural Works Department, Work Circle, Muzaffarpur.
8. The Chief Engineer, Rural Development Special Area, Patna.
9. The Superintending Engineer, Rural Development Special Circle, Muzaffarpur.
10. The Executive Engineer, Rural Development Special Division, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siyaram Pandey
For the Respondent/s : Mr. Kumar Alok (SC7)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-07-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner has challenged the order dated

02.11.2016 contained in Memo No. 12402 passed by the

Additional Secretary, Rural Works Department, Bihar, Patna,

whereby he has been reverted to the post of Lower Division



Clerk from the post of Junior Accounts Clerk and also against the order whereby the excess salary paid to him has been directed to be recovered.

Learned counsel for the petitioner submits that this case is exactly similar to the case of the petitioners in batch of writ petitions, the lead case being Binit Kumar & Ors. Versus the State of Bihar & Ors. (C.W.J.C. No. 9921 of 2017), whereby such order was not found to be in accordance with law and was set aside by judgement dated 21.08.2017.

It has further been submitted that the aforesaid judgement has been approved in its entirety in the L.P.A. by the Division Bench (refer to L.P.A. No. 1702 of 2017).

Under the aforesaid circumstances, the petitioner is directed to make a representation before the Secretary, Rural Works Department, Government of Bihar, Patna (Respondent No. 2) within a period of two weeks, enclosing a copy of the judgement passed in Binit Kumar (supra) and a copy of the Division Bench Judgement passed in L.P.A. No. 1702 of 2017, who, on receipt of such representation, shall



pass a reasoned order in accordance with law within a further period of four weeks thereafter.

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

(Ashutosh Kumar, J)

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