

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16871 of 2015

1. Ravindra Upadhyay and Ors son of Late Nanhaku Upadhyay, resident of village- Bhikhabandh, P.O. Satjora, Police Station- Daraunda, District- Siwan, at present working as roller driver in Rural Works Division- Belsand, District- Sitamarhi.
2. Dudhnath Chaudhary son of Shri Bhuli Chaudhary, resident of village- Lakhraon, P.O. Siwan, Police Station- Siwan Mufassil, District- Siwan, at present working as roller driver in Rural Works Division- Belsand, District- Sitamarhi.
3. Ramchandra Paswan son of Mohan Manjhi, resident of village- Barhan Gopal, Police Station- Siwan Mufassil, District- Siwan, at present working as Chaukidar/ Peon in Rural Works Division- 2, Siwan.
4. Narayan Singh son of late Nagina Singh, resident of village- Makhanpur Mauza, Police Station- Pachrukhi, District- Siwan, at present working Chaukidar/Peon in Rural Works Division-2, Siwan.
5. Sheonath Prasad son of Shri Ramdeni Prasad, resident of village and P.O. Tarwan, District- Siwan, at present working as roller driver in Rural works Division-2, Siwan.

... .. Petitioners

Versus

1. The State Of Bihar through Principal Secretary, Rural Works Department, Govt. of Bihar Patna
2. The Deputy Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief, Rural Works Department, Bihar, Patna.
4. The Chief Engineer, Rural Works Department, Patna.
5. The Superintending Engineer, Works Circle, Saran at Chapra.
6. The District Magistrate, Siwan.
7. The Executive Engineer, Rural Works Department, Works Division, Siwan.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Umesh Kumar Mishra
For the Respondent/s	:	Mr.Sc12-P.K.Singh
		Mr. Rishi Raj Sinha, SC 19
		Mr. Saurabh Kumar, AC to SC 19

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 09-04-2019 Heard learned Counsel for the petitioners and the
learned Counsel for the respondent State.



It is submitted by Mr. Mishra appearing for the petitioners, that the claim of the petitioners for grant of benefits for period during which they were discharging their duties as work charge employees now stands covered by the decision of the Full Bench in the case of *Mobina Khatoon vs State of Bihar* reported in *2019(2) BLJ 9*. He submits that in view of the said development subsequent to the order dated 31.1.2014 (Annexure 8) to the writ petition, the matter now requires consideration in terms of the law laid down by the Full Bench in this regard. He would be approaching respondent no. 2 with a representation for grant of benefits in light of judgment of the Full Bench.

Counsel for the petitioner submits that he would be filing his representation within four weeks. In the event the same is done, it is expected that respondent No. 2 shall consider petitioners' claim, expeditiously and without undue delay having regard to the judgment of the Full Bench within a period of three months from the date of receipt/production of a copy of this order. If petitioners' claim are found admissible then consequential benefits may also be granted within the aforesaid period.

The writ petition is disposed of.



This order may not be taken to be expression of the
Court on the claim set forth by the petitioners.

(Madhuresh Prasad, J)

SNkumar/-

U			
---	--	--	--

