

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18701 of 2016

Umesh Prasad Jha Son of Late Rama Kant Jha Resident of Village - Mirnagar,
P.S. - Sarmera, District - Nalanda.

... .. Petitioner

Versus

1. The State Of Bihar through Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Deputy Secretary, Water Resources Department, Bihar, Patna.
4. The Chief Engineer Mechanical, Irrigation, Water Resources Department, Bihar, Patna.
5. The Superintending Engineer Mechanical, Field Machinery Division, Bhagalpur.
6. The Executive Engineer Mechanical, Field Machinery Division, Bhagalpur.
7. The Under Secretary to Govt. of Bihar, Water Resources Department, Patna.
8. The Joint Secretary to Govt. Water Resources Department, Bihar.
9. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
10. The Joint Secretary, Finance Department, Govt. of Bihar, Patna.
11. The Accountant General, Bihar, Patna

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Tara Nath Jha & Mr. Atul Kumar Pandey
For the State	:	Mr. Deepak Sahay Jamuar, AC to AAG 4
For A.G. Bihar	:	Mr. Satyendra Kumar Jha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 24-04-2019 Counsel for the petitioner relying on Full Bench judgment in the case of *Mobina Khatoon vs. State of Bihar* recently decided by Full Bench in the proceedings arising out of *LPA No. 166 of 2018*, submits that he would be representing before Respondent no. 4 as case of the petitioner is covered by the said judgment since even as per the order dated 3.8.2016



issued under the signature of Under Secretary to Government of Bihar, Water Resources Department, which is impugned in the instant writ proceeding, the petitioner has admittedly worked after February 1991 till 2016 i.e. the date on which he attained superannuation.

Entitlement of the petitioner in terms of length of service, therefore, is not disputed by the respondent authorities. This Court would not express any opinion on the said submission.

The claim of the petitioner may be considered by the respondent authorities, if the petitioner makes his claim on the basis of Full Bench Judgment in the case of *Mobina Khatoon* by a comprehensive representation within a period of two weeks. The same should be decided by a reasoned and speaking order within a period of eight weeks thereafter.

The writ petition stands disposed of.

(Madhuresh Prasad, J)

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