

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.870 of 2019

1. Anant Kishore Jha, Son of Late Krishna Kant Jha, resident of Village and Post Office Basantpur, Police Station Rupauli, District- Purnia.
2. Bhavesh Chandra Mishra, Son of Late Mukti Nath Mishra, resident of Village Jai Prakash Colony, Madhubani, Police Station K. Hat, District- Purnia.
3. Dularchand Bhagat, Son of Late Prithivi Chand Bhagat, resident of Village Nandanpur, Post Office Mirzapur, Police Station Bousi Basathi, District- Araria.
4. Dilip Kumar Roy, Son of Gadadhar Roy, resident of Village Sirsia Hanumanganj, Police Station Bhargama, District- Araria.
5. Shobha Gupta, Son of Late Sudarshan Gupta, resident of Village Nautan, Post Office and Police Station Vijaypur, District- Gopalganj.
6. Ashok Sarkar, Son of Late Vishu Sarkar, resident of Village PHED Colony, Quarter No. 12, Post Office, Police Station and District Purnia.
7. Md. Alauddin, Son of Late Sheikh Salimuddin, resident of Village Harua, Police Station Joki Hat, District- Araria.
8. Md. Imbrahim, Son of Late Shiekh Mahiuddin alias Matru, resident of Village Durgapur, Police Station Mahalgaon, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary to Government. Public Health Engineering Department, Bisheshwaraiya Bhavan, Bailey Road, Patna.
2. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Bisheshwaraiya Bhavan, Bailey Road, Patna.
3. The Chief Engineer (Mechanical), Public Health Engineering Department, Bisheshwaraiya Bhavan, Bailey Road, Patna.
4. The Superintending Engineer, Public Health Engineering Mechanical Circle, Bhagalpur District Bhagalpur.
5. The Executive Engineer, Public Health Mechanical Division, Purnia.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Lalan Kumar Singh, Advocate
For the Respondent/s : Mr.S.Raza Ahmad , Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-12-2019

Heard learned counsel for the petitioners and the



State.

The issue raised in the present writ petition is no more res integra. Similar issue was decided in CWJC No. 1791 of 2008 vide judgment dated 28.06.2017. The relevant part of the judgment reads as under:-

“Having heard learned counsel for the parties and taking note of the issues settled by this Court in the judgment and order passed in CWJC No. 7211/2013 following which a decision has been taken by the Public Health Engineering Department in its order bearing memo no. 925 dated 16.11.2013 for making payment of differential amount of salary to all those reverted employees of the work charge establishment, I direct the Engineer-in-Chief cum Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna to consider the grievance of the petitioner for making payment of difference of salary for the period of his reversion i.e. 1.6.2002 until his regularization i.e. 21.6.2014 within a period of three months from the date of receipt/production of a copy of this order.”

Learned counsel appearing on behalf of the State submits that the petitioners' case is under consideration before the Department.



In view of the above, the present writ petition is disposed of. The respondent- Engineer-in-Chief cum Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna is required to extend similar treatment to these petitioners as was given to the petitioners of CWJC No. 1791 of 2008. Necessary action in this regard may be taken by the respondents within a period of sixty days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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