

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3959 of 2018

In
Civil Writ Jurisdiction Case No.16788 of 2017

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Chandrama Shukla, Son of Late Shankar Shukla, Resident of Village- Anand Nagar, P.O. Shahpur Shukla, P.S.- Baghauc Ghat, District- Deorai (U.P.), the retired Pump Operator, Public Health Mechanical Division, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Sri Deepak Kumar, Son of not known to the petitioner, Presently posted as the Chief Secretary, Governement of Bihar, Patna.
2. Sri Jitendra Srivastava, Son of not known to the petitioner presently posted as the Secretary, Public Health Engineering Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
3. Sri S.C. Mishra, Son of not known to the petitioner, Presently posted as the, Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
4. Sri Daya Shankar Mishra, Son of not known to the petitioner, Presently posted as the Joint Secretary, Public Health Engineering Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
5. Sri Vimal Kumar Singh, son of not known to the petiitoner presently posted as the the Chief Engineer (Mechanical), Public Health Engineering Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
6. Sri Binod Kumar Singh, Son of not known to the petitioner presently posted as the Superintending Engineer, Public Health and Engineering Department, Public Health Engineering Circle, Muzaffarpur.
7. Sri Prabhat Kumar, Son of not known to the petitioner Presently posted as the Executive Engineer (Mechanical), Public Health and Engineering Department, Public Health Mechanical Division, Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Opposite Party/s : Mr.S. Raza Ahmad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 10-04-2019 The learned counsel for the parties are in agreement

that as far as the arrears of salary and benefits of A.C.P. are



concerned, the same has been granted in accordance with law, however the only issue which remains for consideration is grant of pension and gratuity considering the period of service rendered by the petitioner in the work charge establishment. It is submitted that the said issue is pending adjudication before the learned Full Bench in the case of *America Devi v. The State of Bihar (C.W.J.C. no. 10063 of 2012)*, hence the present writ petition can be disposed of with a direction to the parties to comply with the Full Bench judgment which is to be passed in the case of *America Devi (supra)*.

The present contempt petition stands disposed of with a direction that the case of the petitioner shall be governed by the judgment to be passed in the case of *America Devi (supra)*, by the learned Full Bench.

(Mohit Kumar Shah, J)

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