

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22981 of 2019

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Nageshwar Prasad Singh, S/o Late Ramprit Prasad@Ramprit Singh, Resident of Village-Sheopuri, P.O. and P.S.-Islampur, District- Nalanda, Bihar, presently posted as

... .. Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna.
3. The Secretary, Rural Works Department, Govt. of Bihar, Patna.
4. The Engineer-in-Chief, Rural Works Department, Govt. of Bihar, Patna.
5. The Executive Engineer, Rural Works Department, Works Division, Buxar.
6. The Superintending Engineer, Rural Works Department, Works Division, Sasaram.
7. The District Magistrate, Buxar.
8. The Secretary, Department of Finance, Govt. of Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Tushar Vaibhav with Mr.Dr. Kamal Deo Sharma, Advocates.
For the Respondents : Mr. Ashok Kumar Gupta AC to GP-10.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 23-01-2020

Heard learned counsel for petitioner and learned counsel for the State-respondent.

A counter affidavit has been filed on behalf of respondent Nos. 2 to 7 which is taken on record.

The claim of the petitioner is that he has been serving on the post of *Chaukidar, Group- Gha* in Rural Works Department from the year 1985. The petitioner had earlier approached this Court claiming regularization on account of his long service.



It is submitted by the petitioner's counsel that the decision to regularize the petitioner has finally been taken by the office order dated 01/2018-2019 passed by the District Magistrate, Buxar, on 08.01.2019 and that pursuant thereto he has submitted his joining. The claim now is for all benefits in respect of the long service rendered by the petitioner since 1981 prior to his regularization. Submission of the petitioner's counsel is that his claim for benefit of past service derives sustenance from the office order dated 31.01.2014, issued by the Rural Works Department bearing no. 12473.

The stand of the respondents in the Counter affidavit is that the service has been regularized from the date on which he has been found entitled and that other benefits claimed by the petitioner would be considered in accordance with law as per extent circular/resolution of the relevant Rules.

In view of such submissions, since the matter is still pending consideration before the Authorities, the writ petition need not be kept pending. The claim of the petitioner for benefits of his past service should be considered as per the petitioner's representation (Annexure-13) and a reasoned and speaking order passed thereupon in accordance with law by the Executive Engineer, Rural Works Department, Works Division,



Buxar, (Respondent No.5) expeditiously, without undue delay, and preferably within a period of eight (08) weeks from the date of receipt/production of a copy of this order.

The writ petition is disposed off.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
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Transmission Date	N/A

