

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.41 of 2020

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Satya Narayan Lal Das, Son of Late Chunni Lal Das, Resident of Village-
Basantpur, Near Anganbari, Ward No. 08, P.S.-Basantpur, District-Supaul.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Water Resources, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Water Resources, Government of Bihar, Patna.
3. The Chief Engineer, Mechanical, Water Resource Department, Old Secretariat, Barrack, Patna.
4. The Superintending Engineer, Mechanical, Water Resource Department, Muzaffarpur.
5. The Executive Engineer, Mechanical Division No. 2, Birpur.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Respondent/s : Mr.Harish Kumar (Gp8)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-01-2020 The petitioner retired as Electrician Grade-III with effect from 30.06.2001, in the department of Water Resources, Government of Bihar, under the Executive Engineer, Mechanical Division No.2, Birpur. It is his case that he is entitled to a scale of Rs.4000-6000/- with effect from 01.01.1996, which scale has been granted to some of the similarly situated employees, who were junior in the seniority list. Names of such employees have been given in paragraph 4 of the writ application.

Learned counsel appearing on behalf of the petitioner has submitted that it is true that there has been delay on part of



the petitioner in approaching this Court, but the delay has not created any third party rights. He has relied on a Supreme Court decision in case of *Union of India and others Vs. Tarsem Singh*, reported in (2008) 8 SCC 648, to contend that this writ application may not be dismissed merely on the ground of delay and laches keeping in mind the nature of relief which the petitioner is seeking.

Be that as it may, in the facts and circumstances of the case, it is disposed of with an observation that let the respondents examine whether the petitioner's case is identical with the employees, whose names have been disclosed in paragraph 4 of the writ application, who, according to the petitioner, are junior to him. If, it is found, in that background, that the petitioner is entitled for the said scale of Rs.4000-6000/-, the respondents shall take decision accordingly within a period of three months from the date of receipt/production of a copy of this order.

This writ application stands disposed of.

(Chakradhari Sharan Singh, J)

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