

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 200 of 2020

=====

Baidyanath, S/O Late Nami Prasad, Resdient of Village - Pachrukhai,
Rampur, P.S.- Mainatand, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna.
4. The Chief Engineer-3, Rural Works Department, Government of Bihar, Patna.
5. The Superintending Engineer, Rural Works Department, Work Circle, Bettiah, District- West Champaran.
6. The Executive Engineer, Rural Works Department, Works Division, Narkatiaganj, District- West Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr Sanjeev Kumar, Ms Radhika Drolia, Advocates
For the Respondent/s	:	Ms Archana Meenakshee, GP VI Mr Harish Singh, AC to GP VI

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 06-02-2020 Heard learned counsel for the petitioner and the respondent-State.

Learned counsel for the petitioner and the State are in agreement that at best, the petitioner may have a claim which would be covered by Full Bench decision of this Court in the case of *Mobina Khatoon -Versus- State of Bihar & Others, 2019 (1) PLJR 1015*.



Since the issue regarding petitioner's entitlement for counting the benefits of services rendered under work charge establishment has to be examined by the Authority in view of the Full Bench decision (*supra*), this Court is not called upon to adjudicate any issue.

Learned counsel for the petitioner submits that raising such claim on account of parity in the case of *Mobina Khatoon (supra)*, the petitioner would be availing his remedy before Respondent No 6 by way of representation.

In the event, such a representation is filed within four weeks, it is needless to say that Respondent No 6 would be under a legal obligation to examine the claim and pass orders in accordance with law.

The entire exercise should be completed by Respondent No 6 within eight weeks thereafter.

Writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

U			
---	--	--	--

