

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11443 of 2021**

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1. Jai Prakash Narayan Son of Late Kameshwar Singh Resident of Village-  
Bhanpur, P.S.- Dinara, District- Rohtas.
  2. Arun Kumar Singh Son of Late Ram Naresh Singh Resident of Mohalla-  
Anand Puri, P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Water Resources Department, Bihar, Patna.
3. The Chief Engineer Central Design, Research and Quality Control, Water  
Resources Department, Bihar, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Chitranjan Sinha, Sr. Advocate  
Mr. Prabhu Nath Pathak, Advocate  
For the Respondent/s : Mr. Anjani Kumar, AAG-4

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 10-09-2021**

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-



That by this application, the Petitioners are invoking the writ jurisdiction on of this Hon'ble Court in the of appropriate writ/writs for modification in Paragraph No. 8 of the Research cadre Rules of 2013 issued under Notification containing Memo No. 4611 dated 21.08.2013 by the Joint Secretary, Water Resources Department, Bihar, Patna whereby and where under, the provision for promotion of Laboratory Assistant/Field Assistant to Research Assistant has not been included which is wholly discriminatory on facts and in law.

After the matter was heard for some time, Shri Chitranjan Sinha, learned senior counsel appearing on behalf of the petitioners, states that petitioner shall be content if a direction is issued to Respondent No. 2, namely, the Principal Secretary, Water Resources Department, Bihar, Patna to consider and decide the representation which the petitioner shall be filing in due course for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

- (a) Petitioners shall approach Respondent No. 2, namely, the Principal Secretary, Water Resources



Department, Bihar, Patna by filing a representation for redressal of the grievance(s);

(b) Respondent No. 2 shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioners take recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioners to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on



merits. All issues are left open;

(h) The proceedings, during the time of current  
Pandemic- Covid-19 shall be conducted through digital  
mode, unless the parties otherwise mutually agree to  
meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

Ashwini/PKP

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