

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8504 of 2021

1. Sanjay Kumar Singh Son of Sri Tipan Prasad Singh Resident of Village-Chainpurwa, P.O.- Narawan, P.S. Awatar Nagar, District- Saran at Chapra.
2. Vijay Kumar Son of Late Ramdeo Das Resident of Mohalla- Gola Road, Ward No.17, P.O. and P.S.- Daud Nagar, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Minor Water Resources Department, Government of Bihar, Patna.
3. The Joint Secretary, Minor Water Resources Department, Government of Bihar, Patna.
4. The Deputy Secretary, Minor Water Resources Department, Government of Bihar, Patna.
5. The Under Secretary, Minor Water Resources Department, Government of Bihar, Patna.
6. The Chief Engineer, Minor Water Resources Department, Muzaffarpur, Government of Bihar, Patna.
7. The District Magistrate-cum-District Election Officer, Vaishali at Hajipur, District- Vaishali at Hajipur.
8. The Deputy Election Officer, Vaishali at Hajipur, District- Vaishali at Hajipur.
9. The Executive Engineer, Minor Irrigation Division, Hajipur, District- Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Ranjan, Advocate
	:	Ms. Suruchi Priya, Advocate
For the Respondent/s	:	Mr. Kapileshwar Prasad Yadav, GP 11

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 24-02-2022

Heard learned counsel for the parties.



2. In the instant petition, petitioners have prayed for the following relief/reliefs:

“(i) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 23.10.2019 issued under the signature of the Respondent No. 5 and contained in his memo No. 7643 dated 23.10.2019, whereby and where under he has been pleased to terminate the contractual appointment of petitioners as a Junior Engineer, Minor Irrigation Division, Hajipur on the ground that the said order suffers from vice of non-application of mind also violation of principles of natural justice in as much defence rendered by the petitioners has not been considered at all.

(ii) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities to reinstate the petitioners in service on their post with all consequential benefits.

(iii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioners would be found entitled under the facts and circumstances of the case.”

3. Learned counsel for the petitioners on instruction submitted that the petitioners have a statutory remedy of appeal against the impugned order and petitioners intend to prefer appeal before the Appellate Authority.

4. The aforesaid statement is taken on record.

5. Accordingly, writ petition stands disposed off, reserving liberty to prefer appeal before the Appellate Authority.

6. The petitioners are hereby directed to file application for condonation of delay, if any, in filing appeal. If such application is filed, the Appellate Authority is hereby directed to



decide the delay condonation of application as well as appeal
within a period of six months from the date of receipt of this order.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	02.03.2022
Transmission Date	

