

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.2 of 2021
In
Civil Writ Jurisdiction Case No.870 of 2019

1. The State of Bihar through its Principal Secretary, Public Health Engineering Department, Government of Bihar, Bishwasaraiya Bhavan, Bailey Road, Patna.
2. The Engineer- in- Chief-cum- Special Secretary, Public Health Engineering Department, Government of Bihar, Bishwasaraiya Bhavan, Bailey Road, Patna.
3. The Chief Engineer (Mechanical), Public Health Engineering Department, Government of Bihar, Bishwasaraiya Bhavan, Bailey Road, Patna.
4. That Superintending Engineer, Public Health Engineering Mechanical Circle, Bhagalpur, District- Bhagalpur.
5. The Executive Engineer, Public Health Mechanical Division, Purnia.

... .. Appellant/s

Versus

1. Anant Kishore Jha Son of Late Krishna Kant Jha resident of Village and Post Office Basantpur, Police Station Rupauli, District- Purnia.
2. Bhavesh Chandra Mishra Son of Late Mukti Nath Mishra resident of Village Jai Prakash Colony, Madhubani, Police Station K. Hat, District Purnia.
3. Dularchand Bhagat Son of Late Prithivi Chand Bhagat resident of Village Nandanpur, Post Office Mirzapur, Police Station Bousi Basathi, District- Araria.
4. Dilip Kumar Roy Son of Gadadhar Roy resident of Village Sirsia Hanumanganj, Police Station Bhargama, District- Araria.
5. Shobha Gupta Son of Late Sudarshan Gupta resident of Village Nautan, Post Office and Police Station Vijaypur, District- Gopalganj.
6. Ashok Sarkar Son of Late Vishu Sarkar resident of Village PHED Colony, Quarter No. 12, Post Office, Police Station and District Purnia.
7. Md. Alauddin Son of Late Sheikh Salimuddin resident of Village Harua, Police Station Joki Hat, District- Araria.
8. Md. Imbrahim Son of Late Shiekh Mahiuddin alias Matru resident of Village Durgapur, Police Station Mahalgaon, District- Araria.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. S Raza Ahmad, AAG 5 Mr. Md. Kamil Akhtar, AC to AAG 5
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN



ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

3 25-08-2022 Heard learned counsel for the parties.

A perusal of the order passed by the learned Single Bench shows that a direction was given to the Engineer-in-Chief cum Special Secretary, Public Health Engineering Department, Government of Bihar, Patna to consider the grievance of the petitioners-respondents for making payment of difference of salary for the period of their reversion i.e., 1.6.2002 until their regularization i.e., 21.6.2014 within a period of three months.

It is not clear whether the Engineer-in-Chief has taken a decision on the order of the learned Single Bench till now. It is thus, inexplicable why the State has rushed to this Court by way of Letters Patent Appeal.

The Letters Patent Appeal is dismissed being premature.

(Rajan Gupta, J)

(Dr. Anshuman, J)

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