

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6087 of 2016

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Shambhu Prasad Saha son of Late Ganesh Prasad Saha Resident of Janki Prasad Lane, Mundi Chak, P.O. Bhagalpur, P.S. Tilka Manjhi, District-Bhagalpur, the retired Assistant Engineer, Rural Works Department, Works Division, Danapur, Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna
3. The Engineer-in- chief-cum-Additional Secretary-cum-Special Secretary, Rural Works Department, Government of Bihar, Patna.
4. The Executive Engineer, Rural Works Department, Works Division, Danapur, Patna
5. The Principal Secretary, Road Construction Department, Government of Bihar, Patna
6. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Road Construction Department, Government of Bihar, Patna
7. The Principal Secretary, Building Construction Department, Government of Bihar, Patna
8. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Building Construction Department, Government of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs.Anita Kumari, Advocate
For the Respondent/s : Smt.Nivedita Nirvikar, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-10-2023 The present writ petition has been filed
seeking the following reliefs:-

“1.(I) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for payment of arrears of salary of the writ



petitioner in the pay-scale of Junior Engineer and Assistant Engineer for the following period:-

(a) From 22.05.2000 to 26.07.2000 as a Junior Engineer in the Rural Engineering Organization (now Rural Works Department);

(b) From 27.07.2000 to 18.02.2002 as a Junior Engineer in the Building Construction Department; and

(c) From 19.02.2002 to 25.08.2002 as an Assistant Engineer in the Rural Engineering Organization (now Rural Works Department)

(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for grant of benefit of first and second Assured Career Progression (hereinafter referred to as A.C.P.) to the petitioner with effect from 09.08.1999 on the ground that the petitioner was initially appointed as a Junior Engineer in the Public Works Department on 03.04.1973, he had already completed 24 years of service on 09.08.1999, therefore, he is entitled for the aforesaid benefits with effect from



09.08.1999 itself. Though the benefit of aforesaid Assured Career Progression has been granted to the petitioner under memo no.7623 dated 05.06.2008 but its consequential monetary benefits has not been paid to the petitioner so far.

(III) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for payment of any other consequential benefits for which the petitioner is found entitled, he has already superannuated from his service of the Department.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent authorities for redressal of his subsisting grievances, if any. Liberty, so sought, is granted.
3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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