

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5001 of 2022**

Mr. Rajesh Kumar Mehra (ID-J-9859) Son of Sri Parmeshwar Mehra  
Resident of State Boring Gali, Near Vishhari Sthan, Bhikhanpur Railway  
Crossing No.2, Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resource Department, Government of Bihar, Sinchai Bhawan, Patna-15.
2. The Principal Secretary, Water Resource Department, Government of Bihar, Sinchai Bhawani, Patna-15.
3. The Deputy Secretary, Water Resource Department, Government of Bihar, Sinchai Bhawani, Patna-15.
4. The Chief Engineer (Madhya), Water Resource Department, Govt. of Bihar, Patna.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Avanindra Kumar Jha, Advocate  
For the Respondent/s : Mr.Vikash Kumar ( SC- 11 )

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      29-11-2023                      The learned counsel for the petitioner has submitted that though the petitioner was inflicted with certain punishments vide order dated 09.01.2015 passed by the Chief Engineer (Madhya) Water Resources Department, Government of Bihar, Patna i.e. the respondent no. 4, however, it was also stipulated therein that as far as the salary for the suspension period is concerned, the same would be paid subject to decision being taken by the disciplinary authority after issuance of notice



under Rule 11(5) of the Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 and considering the reply, to be filed by the petitioner, nonetheless, though the petitioner has filed his reply, in pursuance to a show cause notice issued by the Additional Secretary to the Government, Water Resources Department, Government of Bihar, Patna, dated 12.03.2018 but no decision has been taken till date, hence the respondents be directed to take a positive decision with regard to payment of salary of the petitioner for the period of suspension i.e. 18.09.2012 to 08.01.2015.

2. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file his representation regarding the issue pertaining to payment of salary for the suspension period, before the Chief Engineer (Madhya) Water Resources Department, Government of Bihar, Patna within a period of four weeks from today, whereupon the respondent no. 4 shall consider the same and take a decision with regard to payment of salary for the



suspension period, as aforesaid, by passing a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.

3. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

S.Sb/-

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