

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15643 of 2015

Prabhanshu Shekhar son of Damodar Sahu, resident of 3A, Block-I Shivganga Apartment, New tolia Chauka, Police Station- Zero Mile District-Bhagalpur, At present posted on the post of Assistant Engineer, Irrigation Division, Bounsi, Police Station- Bounsi, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Secretary, Water Resources Department, Bihar, Patna.
3. The Joint Secretary, Management, Water Resources Department, Bihar, Patna.
4. The Under Secretary, Management, Water Resources Department, Bihar, Patna.
5. The Officer on Special Duty, Water Resources Department, Bihar, Patna
6. Shri Sanjay Singh, ID No. 3927/ Nalanda, Incharge Executive Engineer, Scheme Investigation and Project Preparation Division, Dehri, District-Rohtas.
7. Shri Ashok Kumar Yadav, ID No. 3931/ Khagaria, the Incharge Executive Engineer, Survey and Research Division, Birpur, Supaul.
8. Shri Balram Kumar Gupta, ID No. 3932/Sheohar, the Incharge Executive Engineer, Uttar Koyal Nahar Pramandal No.1, Aurangabad, District-Aurangabad
9. Shri Ram Sevak Sah, ID No. 3936/Sitamarhi, the Incharge Executive Engineer, Saran Nahar Pramandal, Maharajganj, District-Saran.
10. Shri Sanjay Kumar Singh, ID No. 3937/ Patna, the Incharge Executive Engineer, Udandasta Pramandal No.1, Patna, District-Patna.
11. Shri Alok Kumar, ID No. 3941/Saran, the Incharge Executive Engineer, Flood Control Scheme and Monitoring Division No.2, Patna, District-Patna.
12. Shri Ashish Kumar Rastogi, ID No. 3947/ Nalanda, the Incharge Executive Engineer, Dam and Gate Rupankan No.4, Patna, District-Patna.
13. Shri Binay Kumar, ID No. 3950/Samastipur, the Executive Engineer, Scheme and Monitoring Division No.15, Patna, District-Patna.
14. Shri Chandra Shekhar Prasad, ID No. 3951/Chapra, the Incharge Executive Engineer, Ganga Pump Nahar Pramandal No.2, Bateshwar Asthan, Camp-Shiv Narayanpur, District-Bhagalpur.
15. Shri Amresh Kumar Singh, ID No. 3952/ Jehananbad, the Incharge Executive Engineer, Investigation and Scheme Division, Gandak Kada, Gopalganj, District-Gopalganj.
16. Shri Ashok Kumar, ID No. 3953/ Munger, the Incharge Executive Engineer, Schema Investigation and Project Preparation, Division, Jamui, District-Jamui.
17. Shri Akhtar Jamil, ID No. 3955/Gopalganj, the Incharge Executive Engineer,



Flood Control Pramandal, Karha Gola, Balmi, District-Patna.

18. Shri Jamil Ahmad, ID No. 3959/Saran, the Incharge Reader, I.T. Balmi, District- Patna.
19. Shri Anwar Jamil, ID No.3960/ Gopalganj, the Incharge Executive Engineer, Tirhut Nahar Pramandal, Motipur, District-Muzaffarpur.
20. Shri Vijay Kumar, ID No. 3962/ Rohtas, the Incharge Executive Engineer, West Kshi Nahar Division No.1, Madhubani.
21. Shri Md. Jiyaaur Rahman, ID No. 3963/ Darbhanga, the Deputy Secretary, Management-2, Water Resources Department, Patna, District-Patna.
22. Shri Nikhil Kumar, ID No. 3966/ Nawada, the Incharge Executive Engineer, Lower Kiul Project Pramandal, Kada, Lakhisarai, District-Lakhisarai.
23. Shri Khurshid Anwar, ID No. 3972/Buxar, the Incharge Executive Engineer, Sone Nahar Adhunikikaran Pramandal, Nasriganj, District-Nawada.
24. Shri Md. Sayed Ahmad, Id No. 3975/Nalanda, the Incharge Executive Engineer, Purvi Tatbandh Pramanda, Chandrayan
25. Shri Pramod Kumar, ID No. 3976/ Nalanda, the Incharge Executive Engineer, Ganga pump Nahar Pramandal, Surajgarha, Camp-Munger, District- Munger.
26. Shri Brinda Prasad, ID No. 3979/ Aurangabad, the Incharge Executive Engineer, SCADA Division, Aurangabad, District-Aurangabad.
27. Shri Md. Shakir Ansari, ID No. 3980/ Munger, the Incharge Executive Engineer, Irrigation Division, Bhagalpur, District-Bhagalpur.
28. Shri Md. Abdul Mannan, ID No. 398/ Bhagalpur, the Incharge Executive Engineer, Rupankan Division No.1, Patna, District-Patna.
29. Shri Amrendra Kumar, ID No. 3983/ Nalanda, the Incharge Executive Engineer, Jalpath Pramandal, Mahariya, District-Kaimur.
30. Shri Dinesh Kumar, ID No. 5168/ Lakhisarai, the Incharge Executive Engineer, Flood Control Division No.1, Khagaria, District-Khagaria.
31. Shri Subodh Kumar Sunahala, ID No.5208/Gaya, Technical Advisor, Tirhut Nahar Anchal, Raxaul, District-East Champaran.
32. Shri Lakshman Kumar, ID No. 5701/Patna, the Incharge Executive Engineer, SCADA Division, Ara, District-Bhojpur.
33. Shri Jitendra Kumar Ram, ID No. 5102/Aurangabad, the Incharge Executive Engineer, Investigation and Project Division, Gandak Kada, Siwan, District-Siwan.
34. Shri Bijay Kumar Pal, ID No. 5104/Nalanda, the Incharge Executive Engineer, Water Discharge and Investigation Division, Bettiah, District-West Champaran.
35. Shri Deependra Kumar Rajak, ID No.5105/ Bhagalpur, the Incharge Executive Engineer, Water Discharge Division, Chapra, District-Saran.
36. Shri Anil Kumar, ID No. 5106/Bhagalpur, the Incharge Executive Engineer, West Koshi Canal Division, Darbhanga, District-Darbhanga.
37. Shri Siyaram Paswan, ID No. 5107/Lakhisarai, the Incharge Executive



- Engineer, Uttar Koyal Pramandal Japla, District-Daltonganj, Jharkhand, under the control of Chief Engineer Zone, Aurangabad, District-Aurangabad.
38. Shri Ajya Kumar, ID No. 5109/ Saharsa, the Incharge Executive Engineer, Rupankan Division No.1, Darbhanga, District-Darbhanga.
39. Shri Manish Kumar Bharti, ID No. 5113/Darbhanga, the Incharge Executive Engineer, Sone High Level Canal Division, Sasaram, District-Rohtas.
40. Shri Ranjit Kumar Ranjan, ID No. 5114/ Munger, the Incharge Executive engineer, Batane High work Division, Hariharganj, Camp-Amba, District-Aurangabad.
41. Shri Subodh Choudhary, ID No. 5221/ , the Incharge Executive Engineer, Sone Nahar Adhunikikaran Pramandal, Ramgarh, Camp-Nauawan.
42. Shri Aditya Prakash, ID No. 5115/ Patna, the Incharge Executive Engineer, Investigation and Project Division, Gandak Kada, Bettiah, District-West Champaran.
43. Shri Dharambir Kumar, ID No. 5118/ Patna, the Incharge Executive Engineer, Kamla Nahar Pramandal, Jai Nagar, District-Madhubani.
44. Shri Deepak Kumar, ID No. 5110/ Nalanda, the Incharge Executive Engineer, Uttar Koyal Nahar Pramandal, Nabinagar, District-Aurangabad.
45. Shri Surendra Kumar Harsh Id No. 5120/ Vaishali, the Incharge Executive engineer, West Koshi Canal, Jhanjharpur, District-Madhubani.
46. Shri Ajit Kumar, ID No. 5190/ Munger, the Incharge Executive Engineer, Water Discharge and Investigation Division, Raghopur, District-Vaishali.
47. Shri Umesh Kumar ID No. 5121/ Patna, the Incharge Executive Engineer, Irrigation Division, Bijikhorwa, District-Banka.
48. Shri Bijendra Kumar ID No. 5122/ Banka, the Incharge Executive, East Koshi Talbandh Division No. 2, Birpur, District-Supaul.
49. Shri Raju Kumar, ID No. 5191/ Patna, the Incharge Executive Engineer, Irrigation Division, Bathnaha, District-Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate
For the Respondent/s : Mr.Satyadeo Kumar- Sc5

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-09-2023 1. The present writ petition has been filed seeking
the following relief(s):-

*“1. That this writ application is directed for
issuance of an appropriate writ in the nature of*



Certiorari/Mandamus commanding the responsible respondents for quashing the Memo No.3057 dated 30.06.2015 contained in Annexure issued under the signature of respondent No.3 under which pick and choose policy ignoring the seniority of the petitioner juniors to the petitioner of the aforesaid Memo No.3057, Patna, dated 30.06.2015 have been made independent incharge Executive Engineer from the post of Assistant Engineer after transferring them and also for a direction to consider the representation dated 25.08.2015 of the petitioner and thereafter to give the post of Incharge Executive Engineer.”

2. Considering the nature of relief, sought for in the present writ petition, I deem it fit and proper to grant liberty to the petitioner to approach the respondent-authorities for redressal of his aforesaid grievances, if any.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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