

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4030 of 2018**

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1. Madhusudan Sharma son of Shri Saryug Sharma, Resident of Village- Tetarawan, Post Office Tetarawan, Police Station Manpur, District Nalanda.
  2. Sunil Kumar, son of Late Lakshmi Narayan Singh, Resident of Village- Nirmal Bigha, Post Office, Police Station and District- Nalanda.
  3. Shanker Singh, son of Nagashwan Singh, Resident of Village- Dhurgaon, Post Office Dhurgaon, Police Station Ekangarsarai, District Nalanda.
  4. Rakesh Ranjan Kumar, son of Rajdeo Ram, Resident of Village- Babhani, Post Office Bahuara Koaath, Police Station- Dawath, District Rohtas at Sasaram.
  5. Gautam Kumar, son of Shri Dinesh Paswan, Resident of Village- Deobigha, Post Office Dosut, Police Station Bena, District Nalanda.
  6. Ajai Kumar, son of Late Ramashish Yadav, Resident of Village- Dohara, Post Office Dohara, Police Station Nadariganj, District- Nawada.
  7. Manoj Kumar, son of Shri Basudeo Mistri, Resident of Village- Mahendrapur, Post Office Hathidah, Police Station Hathidah, District Patna.
  8. Shrikant Paswan, son of Dasharath Paswan, Resident of Village- Nagawan, Post Office Meghi, Police Station Deep Nagar, District- Nalanda.
  9. Sanoj Kumar, son of Shri Basudeo Mistri, Resident of Village- Mahendrapur, Post Office Hathidah, Police Station Hathidah, District Patna.
  10. Vinay Kumar, son of Ramashray Yadav, Resident of Village- Surajpur, Post Office Nalanda, Police Station and District Nalanda.
  11. Chhotelal Ram @ Tuntun Kumar, son of Shri Sahdeo Singh @ Shri Sahdeo Ram, Resident of Village- Sangowar Pathara, Post Office Measuradha, Police Station- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Engineer-in- Chief-cum- Special Secretary, Public Health Engineering Department, Government of
3. The Chief Engineer, Mechanical, Public Health Engineering Department, Visheshwaraiya Bhawan, Bailey
4. The Superintending Engineer, Public Health Mechanical Circle, Patna.
5. The Executive Engineer, Public Health Mechanical Division, Veterinary College, Patna, District- Pat
6. The Assistant Engineer, Public Health Engineering Subdivision, Biharsharif.

... .. Respondent/s



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**Appearance :**

For the Petitioner/s : Mr.Lalan Kumar Singh, Advocate  
For the Respondent/s : Mr.S. Raza Ahmad- AAG5

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

**ORAL ORDER**

4      05-12-2023                      Heard learned counsel for the petitioners and learned  
counsel for the State.

2. The present writ petition has been filed for directing the respondents to consider the case of the petitioners and appoint them on the post of Pump Operator, Class-IV post on regular basis in terms of the Bihar Group D (Recruitment & Service Condition) Rule, 2010 dated 26.03.2010 which was subsequently amended as Bihar Public Health Engineering Circle Level Pump Operator/Electrician (Recruitment and Service Condition) Rules, 2014 (hereinafter referred to as the 'Rule of 2014')

3. Learned counsel for the petitioners submits that according to the Rule of 2014, the process of recruitment has to take place on the basis of position as on 1st of April each year and shall send a requisition to the Commission by 30th April. Rule 5 (3) of the said rule states that the Commission shall advertise vacancies, and after selecting successful candidates on the basis of Competitive Examination, shall recommend names



of candidates of the merit list to the concerned Appointing Authorities. The merit list shall remain valid for one year from the date of receipt of the recommendation in the Department. The syllabus of the competitive Examination will be determined by the Commission in Consultation with the Department. Qualification and other conditions have also been mentioned in the said rule. The prayers of the petitioners are limited.

4. Learned counsel for the State submits that the state is ready to initiate the process of recruitment of the Pump Operators in the light of the Rule of 2014.

5. This Court is of the view that when the rule, known as Bihar Public Health Engineering Circle Level Pump Operator/Electrician (Recruitment and Service Condition) Rules, 2014, has already been framed for recruitment then the State ought to come forward and begin with the process of recruitment at the earliest.

6. As such, respondent No.2, namely, the Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Government of Bihar, Patna is directed to look into the matter and do all the needful so that the recruitment process for the Pump Operator and electricians in the light of the Rule of 2014 shall be started within six months from the date of



production of a copy of this order.

7. With the aforesaid observation and direction, the writ petition stands disposed of.

**(Dr. Anshuman, J)**

Ashwini/-

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