

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1272 of 2019

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Jay Kumar Singh Late Jag Narain Singh R/o Village-Majhaua, P.O.-Ara, P.S.-
Ara, District-Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors through the Principal Secretary, Finance Department, Government of Bihar, Patna.
2. The Principal Secretary, Minor Irrigation Department, Government of Bihar, Patna.
3. The Executive Engineer, Minor Irrigation, Bhabhua at Kaimur
4. The Superintending Engineer, Minor Irrigation, Bhabhua at Kaimur
5. The Assistant Engineer, Minor Irrigation, Sub-Division, Mohania, Bhabhua, at Kaimur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.
For the Respondent/s : Mr.Anirban Kundu (SC24)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 14-05-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for directing the respondent authorities to treat the petitioner in regular service in view of resolution dated 03.08.2016 vide resolution No.6151 issued by the Secretary, Finance Department (Expenditure), Govt. of Bihar, Patna. The further prayer has been made to release the entire retiral benefits of the petitioner treating him in regularized service as he was working since 20.12.1985 and superannuated on 31.01.2014 when the regularization of 22 work charge employees similarly to the



petitioner has been considered by the Minor Irrigation Department and they were regularized and the case of the petitioner could not be considered even his name was in the list dated 06.03.2012 for regularization.

3. Counsel for the petitioner submits that he seeks relief in the light of the Circular which is Annexure-3 of the present writ petition dated 03.08.2016. Counsel has prayed in the writ petition for issuance of writ of mandamus. Upon query of the Court that where is the representation?

4. Counsel submits that in the statement, it has been mentioned, but the copy of the representation has not been filed.

5. Counsel for the State opposes the prayer and submits that without filing representation, mandamus could not be issued.

6. In this view of the matter, the present writ application is hereby disposed off, directing the petitioner to file his representation first and thereafter move to the Court.

(Dr. Anshuman, J.)

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