

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5785 of 2024

1. Rajendra Kumar Chaudhary son of Anantu Chaudhary, resident of House No. 202, White House, Patliputra Residency, Anandpuri, Boring Canal Road, Near Mehndi Utsav Palace, P.S.-S.K. Puri, District-Patna.
2. Harish Chandra, son of Vishun Prasad, resident of House No. 58, Niti Bagh Colony, Rukanpura, P.S.-Rupaspur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Secretary, Finance Department, Government of Bihar, Patna.
4. The Deputy Secretary -1 (Management), Water Resources Department, Government of Bihar, Patna.
5. The Under Secretary Personnel Claims Fixation Cell (Finance Department), Bihar, Patna.
6. The Engineer in Chief (Flood Control and Drainage), Water Resources Department, Government of Bihar, Patna.
7. The Engineer in Chief, Sone High Level Canal Division, Water Resources Department, Government of Bihar, Patna.
8. The Chief Engineer (Flood Control and Drainage), Water Resources Department, Bihar Sharif, District-Nalanda.
9. The Chief Engineer, Sone High Level Canal Division, Dehri, District-Rohtas.
10. The Superintending Engineer, Flood Control and Drainage Circle, Bihar Sharif, District-Nalanda.
11. The Superintending Engineer, Sone High Level Canal Circle, Sasaram, Bhabhua.
12. The Executive Engineer, Flood Control and Drainage Division, Bihar Sharif, District-Nalanda.
13. The Executive Engineer, Sone High Level Canal Division, Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Brisketu Sharan Pandey, Advocate
For the Respondent/s : Mr.Sarvesh Kr. Singh, AAG-13

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2024

1. The present writ petition has been filed seeking



the following relief(s):-

“1(i) For issuance of appropriate writ(s), direction/directions including the writ of mandamus directing thereby the respondents to grant the petitioners benefit of promotion w.e.f. 01.01.1998 in terms of departmental notification dated 17.06.2005 which has been extended to similarly situated persons/co-employees vide the departmental letter dated 29.01.2019 (issued in compliance of orders dated 03.08.2018, 25.07.2018, 19.12.2018 issued in CWJC No.13159/2017, CWJC No.9617 of 2017, CWJC No.3307 of 2017 respectively).

(ii) For issuance of appropriate writ(s), direction/directions including the writ of mandamus directing thereby the respondents to grant the petitioners promotion w.e.f. 01.01.1998 in terms of departmental notification 17.06.2005 which has been extended to similarly situated persons/co-employees vide the departmental letter dated 29.01.2019 (issued in compliance of orders dated 03.08.2018, issued in CWJC No.7245/2017 and orders issued by this Hon'ble Court in similar cases).

(iii) For issuance of appropriate writ(s), direction/directions including the writ of mandamus directing thereby the respondents to



grant the petitioners arrears and other notional benefits arising out of promotion w.e.f. 01.01.1998 in terms of departmental notification 17.06.2005 which has been extended to similarly situated persons/co-employees vide the departmental letter dated 29.01.2019 (issued in compliance of orders dated 03.08.2018, issued in CWJC No.7245/2017 and orders issued by this Hon'ble Court in similar cases).

(iv) For holding that the petitioners are entitled to promotion w.e.f. 01.01.1998 in terms of departmental notification 17.06.2005 which has been extended to similarly situated persons/co-employees vide the departmental letter dated 29.01.2019 (issued in compliance of orders dated 03.08.2018, issued in CWJC No.7245/2017 and orders issued by this Hon'ble Court in similar cases).

(v) For holding that the it is illegal on the part of the Respondent, to have deprived the petitioners from benefits of promotion w.e.f. 01.01.1998 in terms of departmental notification 17.06.2005 which has been extended to similarly situated persons/co-employees vide the departmental letter dated 29.01.2019 (issued in compliance of orders dated 03.08.2018, issued in CWJC No.7245/2017 and orders issued by this Hon'ble Court in similar cases).



(vi) For issuing appropriate orders granting suitable interest on the arrears and the monetary benefits admissible to the petitioner in terms of grant of promotion w.e.f. 01.01.1998 in terms of letter dated 17.06.2005.”

2. After some arguments, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent no.2 i.e. the Principal Secretary, Water Resources Department, Government of Bihar, Patna for redressal of their aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed, by the petitioners, before the Principal Secretary, Water Resources Department, Government of Bihar, Patna, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of six weeks, thereafter.

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

(Mohit Kumar Shah, J)

Saurav/-

U			
---	--	--	--

