

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18050 of 2012

1. Ramayan Singh and Ors S/O Shri Rameshray Singh A Resident Of Village- Atimi, Police Station- Navanagar, District- Buxar Arrah
2. Prem Kumar S/O Shri Lal Das A Resident Of Village- Badhpur, P.O- Punpun, P.S- Phulwarisharif, District- Patna, At Present Mohalla- Ashram Chouk Ward No. 16, Araria, P.O- Araria, P.S- Araria, District- Araria.
3. Madan Lal Sah S/O Shri Sukhdeo Sah A Resident Of Village- Jagranathpur, P.O- Barleli Champanager, P.S- Nagar, District- Purnea
4. Ratneshwar Singh S/O Shri Lal Bahadur Singh A Resident Of Village P.O- Paikpat, P.S- Bhargama, District- Araria.
5. Bipin Kumar Singh S/O Shri Raghunath Singh A Resident Of Village- Paradih, P.O- Dariya, Via- Kevali, District- Darbhanga.
6. Keshab Kumar Roy S/O Late Shobha Kant Roy A Resident Of Village- Akadh, P.S- Nauhatta, District- Saharsa.
7. Ashok Kumar S/O Shri Lally Kamat A Resident Of Village/ Mohalla- Rolbag Khagra, P.O And P.S- Kishanganj, District- Kishanganj.
8. Md. Ibrahim S/O Shekh Fakhruddin A Resident Of Village- Chandradey, P.O and P.S- Araria, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary Department Of Personal And Administrative Reforms Government Of Bihar, Patna.
3. The State Project Director, Bihar Education Project Committee, Additional Charge Of Secretary Information And Public Contract Department Of Bihar, Patna.
4. The Secretary Department Of Water Resources Minor Irrigation, Government Of Bihar, Patna.
5. The Secretary Department Of Finance Government Of Bihar, Patna.
6. The Engineer In Chief, Minor Irrigation Government Of Bihar, Patna.
7. The Commissioner, Minor Irrigation Government Of Bihar, Patna.
8. The Chief Engineer, Minor Irrigation Purnea.
9. The Superintending Engineer Minor Irrigation, Circle, Saharsa.
10. The Executive Engineer Minor Irrigation Division, Katihar.
11. The Sub- Divisional Officer Minor Irrigation Sub- Division, Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate
For the Respondent/s : Mr. Prashant Pratap, Advocate



CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-05-2024 Heard the parties.

2. Learned counsel appearing on behalf of the petitioners seeks to file detailed representation before the Additional Chief Secretary, Minor Irrigation Department considering the fact that Rule 58 and Rule 59 of the Bihar Pension Rules, 1950 deals with the condition of services of a government servant to qualify for pension, as well as, consideration of his services rendered in the organization as a work charge employee, his case was considered by the 'Three Men Committee' and petitioners case has been rejected.

3. Considering the limited relief sought for by the petitioners, the Additional Chief Secretary, Minor Irrigation Department, is directed to consider the individual case of the petitioners taking into consideration the continuous service of the petitioners in the capacity of work charge employee and performing the duty indistinguishable from those in permanent post and their selection through the process that regular recruitment, constitute a substantial departure from the temporary and scheme specific nature of their initial engagement.

4. In case the petitioners file their individual



representation, the same is directed to be disposed of well within a period of eight weeks from the date of filing of the representation.

5. It is made clear that the Additional Chief Secretary, Minor Irrigation Department, must not be prejudiced by the order and action of the earlier authorities, who have rejected the case of the petitioners.

6. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

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