

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8385 of 2018

1. Rabindra Nath Pandey and Ors Son of Late Awadhesh Bihari Pandey Resident of Village-Rampur Milky, P.O. Gangahar, P.S. Ara Muffasil, District-Bhojpur at Ara, the retired Senior Accounts Clerk, Local Area Engineering Organization, Works Division-1, Ara District-Bhojpur at Ara.
2. Md. Abu Nasar, Son of Late Sk. Md. Bechu, Resident of Mohalla-Khetari, P.O. Ara, P.S. Ara Town, District-Bhojpur, the retired Senior Accounts Clerk, Local Area Engineering Organization, Works Division-2, Jagdishpur, District-Bhojpur at Ara.
3. Narayan jee Pandey, Son of Late Dinanath Pandey, Resident of Village-Jorawarpur Milky, P.O. Gajrajganj, P.S. Ara Muffasil, District-Bhojpur at Ara, the retired Senior Accounts Clerk Local Area Engineering Organization, Works Division-Buxar, District-Buxar.
4. Krishna Prasad, Son of Late Nathun Sah, Resident of Village-Kharojh, P.O. Surajpura, P.S. Surajpura, District-Rohtas, Presently residing in Mohalla-Jagdeo Nagar, Ara, P.O. Anait, P.S. Ara Nawada, District-Bhojpur at Ara, Presently Posted as Senior Accounts Clerk, Local Area Engineering Organization, Works Division, Nawada, District-Nawada.
5. Ram Chandra Paswan, Son of Late Sri Narayan Paswan, Resident of Village-Shahpur, P.O. Bhoja, P.S. Khodawandpur, District-Begusarai, Presently Posted as Senior Accounts Clerk,, Local Area Engineering Organization, Works Division-Bikramganj-2, District-Rohtas at Sasaram.
6. Ram Rai Son of Late Mauze Lal Rai, Resident of Village-Andhara Thadhi, P.O. Thadhi, P.S. Andhara, District-Madhubani, Presently Posted as Senior Accounts Clerk, Local Area Engineering Organization, Works District-Patna.
7. Ram Jivan Sah, Son of Late Kanhaiya Sah, Resident of Village-Jalilpur P.O. Siswan, P.S. Bishwambharpur, District-Gopalganj, Presently Posted as Senior Accounts Clerk, Local Area Engineering Organization, Work Division-1, Ara, District-Bhojpur.
8. Madhuri Kumari Keshri, Wife Ravi Bhushan Prasad Keshri, Resident of Mohalla-Aarnya Devi Mandir, P.O. Ara, P.S. Ara Town, District-Bhojpur at Ara, the retired Senior Accounts Clerk, Local Area Engineering, Organization, Works Division-1, Ara, Distirct-Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary Expenditure, Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
5. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.



6. The Engineer-in-Chief-Cum-Additional Secretary-Cum-Special Secretary,
Rural Works Department, Government of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. S.k. Manglam, Adv
Mr. Awnish Kumar, Adv
Mr. Vikash Kumar, Adv
Mr. Kumar Gaurav, Adv
For the Respondent/s : Mr. Anil Kr. Singh- Gp26
Mr. Nawal Kishore Singh, Adv, AC to GP-26

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-05-2024 Heard counsel for the petitioner and counsel for the
State.

2. Learned counsel for the petitioner submits that
relief prayed in the present writ petition has been squarely
covered by the order dated 15.04.2024 passed in C.W.J.C. No.
7040 of 2018 in which following direction has been made.

6. In the light of the submissions made and for the purpose of adjudication of this matter, the petitioners are granted liberty to file representation before the Principal Secretary Finance Department, Government of Bihar within 30 days from today raising all the grievances as raised in the writ petition whereupon the Principal Secretary, Finance Department, Government of Bihar shall consider and decide the representation filed by the petitioner with a reasoned and speaking order within 90 days from the date of its filing. The date of 90 days shall be counted after the last date of the general election of Lok Sabha 2024.

7. It is made clear that till the disposal of the matter, no recovery shall be made from the petitioner.

8. Since as submitted by learned counsel for the petitioner during the pendency of the writ petition some of the petitioners have retired, this Court directs the Principal Secretary, Rural Works Department, Government of Bihar that they shall



not stop their retiral dues and he shall make their admitted dues without treating this case as a hindrance in their payment.

9. With the aforesaid observation and direction, the writ petition stands disposed off.

3. Counsel for the State submits that the petitioner may be directed to file representation before the Respondent No. 2 in the light of the order dated 15.04.2024 passed in C.W.J.C. No. 7040 of 2018.

4. Petitioner is directed to file the representation file representation before the Principal Secretary Finance Department, Government of Bihar within 30 days from today raising all the grievances as raised in the writ petition whereupon the Principal Secretary, Finance Department, Government of Bihar shall consider and decide the representation filed by the petitioner with a reasoned and speaking order within 90 days from the date of its filing. The date of 90 days shall be counted after the last date of the general election of Lok Sabha 2024.

5. Accordingly, this writ petition is disposed off.

(Dr. Anshuman, J)

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