

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10893 of 2024

1. Rana Pratap Singh son of Late Ram Charitra Singh, Resident of Tahir Lane, Road No.- 16 Gardanibagh, P.S.- Gardanibagh, District- Patna.
2. Prakash Choudhary, son of Late Darogi Choudhary, resident of village and Post- Badiyant, P.S.- Wen, District- Nalanda.
3. Sunil Kumar, son of Late Ramnath Mahto, resident of Village- Ahiyapur, P.S.- Bikram, District- Patna.
4. Sen Kumar Sinha, son of Late Shaligram Prasad, resident of 1/377, Mithila Colony Nasriganj, P.S.- Danapur District- Patna.
5. Kamlesh Chandra, son of Late Shyam Bihari Ram, resident of Mithla Colony near Jagdamba Mandir Ward No.- 32, Bataganj, District Patna.
6. Md. Mumtaz @ Md. Mumtaz Ahamad son of Athar Mallick, resident of 140/1, Quaseem Colony, Dargah, Road Sampatchak, P.S.- Sampatchak, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Finance, Patna.
3. The Secretary (Expenditure), Department of Finance, Patna.
4. The Secretary, (Resources) Department of Finance, Patna.
5. The Engineer-in Chief Cum Additional Commissioner, Building Construction Department, Patna.
6. The Superintending Engineer, South Bihar Circle, Building Construction Department, Patna.
7. The Executive Engineer, Central Division, Building Construction Department, Patna.
8. The Executive Engineer, Tax Division, Building Construction Department, Patna.
9. The Executive Engineer, Building Construction and Housing Department, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate
For the Respondent/s : Mr. Standing Counsel (23)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER



2 23-07-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. Learned counsel for the petitioners submits that the case of the petitioners is squarely covered in the light of Memo No.2162 dated 28.02.2024, which was passed for the petitioners in SLP (Civil) Nos.8219-8226 of 2019 (Amresh Kumar Sinha & Others Vs. The State of Bihar & Others). Counsel submits that the representation has been filed on 25.07.2023 (Annexure-P/12) but no decision has been taken till date by the respondent-authorities.

3. Learned counsel for the State submits that the relief has been granted to the petitioners of the said case subject to decision of curative petition. Counsel for the State submits that no representation has been filed before the competent authority. The competent authority is respondent No.5.

4. In the light of the submissions made by the parties, this writ petition is disposed off with liberty to the petitioners that they shall file fresh representation describing each and every materials with regard to the petitioners individually before respondent No.5, the Engineer-in-Chief-cum-Additional Commissioner, Building Construction Department, Patna, within sixty days from the date of passing of the order. The



respondent No.5 is hereby directed to consider the case of the petitioners after decision in curative petition within ninety days after disposal of the curative petition pending before Hon’ble Supreme Court.

(Dr. Anshuman, J)

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