

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10528 of 2024

1. Lallu Prasad Singh son of Late Shankar Singh, resident of Mohalla-Chandravansi Nagar, Bhatadi, P.O. Sasaram, P.S. Darigaon, District-Rohtas at Sasaram, the retired Senior Accounts Clerk office of the Executive Engineer, Water Resources Department, Sone High Level Canal Division, Sasaram.
2. Bechan Singh son of Late Ramkaval Singh, resident of Village-Bhopatpur, P.O. Bhati, P.S. Mohania, District Kaimur at Bhabhua, the retired Senior Accounts Clerk office of the Executive Engineer, Water Resources Department, Water Ways Division, Mohania.
3. Gulli Chand Choudhary son of Late Megha Chaudhari, resident of Ward No. 38, Tar Bangla, Dehri, P.O. and P.S. Dehri, District-Rohtas at Sasaram, the retired Senior Accounts Clerk office of the Executive Engineer, Water Resources Department, Sone High Level Canal Division, Bhabhua.
4. Ram Raj Ram, son of Late Faudar Ram, resident of Village-Bhaisaha Manikur, P.O. Manikur, P.S. Indrapuri, District-Rohtas at Sasaram, the retired Senior Accounts Clerk Office of the Executive Engineer, Water Resources Department, Dehri Division, Dehri (now Irrigation Division, Dehri).
5. Suryadeo Prasad, son of Late Visheshwar Nath, resident of Ward No. 38, Niranjana Bigha, P.O. and P.S. Dehri, District Rohtas at Sasaram, the retired Senior Accounts Clerk office of the Executive Engineer, Water Resources Department, Irrigation Division, Dehri.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Engineer in Chief cum Additional Secretary, Water Resources Department, Government of Bihar, Patna.
6. The Chief Engineer, Water Resources Department, Irrigation Creation, Dehri.
7. The Superintending Engineer, Water Resources Department, Irrigation Circle, Bhabhua.
8. The Executive Engineer, Water Resources Department, Sone High Level Canal Division, Sasaram.
9. The Executive Engineer, Water Resources Department, Water Ways Division, Mohania.
10. The Executive Engineer, Water Resources Department, Sone High Level Canal Division, Bhabhua.



11. The Executive Engineer, Water Resources Department, Irrigation Division, Dehri.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. S. B. K. Manglam, Advocate

For the Respondent/s : Mr. Pramod Kumar Singh, AC to SC 16

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-07-2024 Heard Mr. S. B. K. Manglam, learned counsel appearing on behalf of the petitioners and Mr. Pramod Kumar Singh, learned AC to SC for the State.

2. Learned counsel appearing on behalf of petitioners seeks to withdraw the present writ petition with a liberty to file a comprehensive application before respondent no.4, the Principal Secretary, Water Resources Department, Government of Bihar, Patna for the relief, as prayed for in the present writ petition and the same may be considered in light of the law laid down by the Apex Court in the case of *Amresh Kumar Sinha & Ors. v. The State of Bihar & Ors. (SLP (C) Nos. 8219-8226 of 2016)* as well as clarification made by the Full Bench of this Court in case of *Kamlanand Thakur vs. State of Bihar & Ors. (C.W.J.C. No. 18727 of 2017)* and other analogous cases.

3. Considering the aforesaid submission made on behalf of petitioners, the petitioners are given liberty to file detailed representation before respondent no.4, the Principal



Secretary, Water Resources Department, Government of Bihar, Patna, who shall dispose of the representation of the petitioners, in light of the law laid down by the Apex Court in the case of *Amresh Kumar Sinha (Supra)* and the Full Bench of this Court in the case of *Kamlanand Thakur (Supra)* well within a period of six weeks from the date of filing of representation.

4. All the monetary benefit, to which the petitioners are entitled, should be given to them in further period of two weeks.

5. In case, the petitioners are not entitled, they must be given personal hearing and, thereafter, a reasoned order in accordance with law, is required to be passed.

6. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

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