

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10884 of 2024

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Sheo Nath Prasad Singh son of Late Ram Swarth Singh, resident of Mohalla-Shivajee Chowk, West Ram Krishna Nagar, P.O. Jaganpura, P.S. Ram Krishna Nagar, District-Patna, the retired Senior Accounts Clerk office of the Executive Engineer, Water Resources Department, Flood Control Division, Karbigahiya, Patna.

... .. 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, Water Resources Department, Government of Bihar, Patna.
6. The Chief Engineer, Water Resources Department, Patna.
7. The Executive Engineer, Water Resources Department, Punpun Flood Control Division, Karbigahiya, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Awnish Kumar, Advocate
For the Respondent/s : Government Pleader No.25

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-07-2024 Heard learned counsel appearing on behalf of the petitioner and the learned Government Pleader No.25 for the Respondents/State.

2. Learned counsel appearing on behalf of petitioner 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(s), 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 the case of *Kamlanand Thakur vs. State of Bihar & Ors. (C.W.J.C. No. 18727 of 2017)* & other analogous cases.

3. Considering the aforesaid submissions made on behalf of petitioner, the petitioner is 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 petitioner, in the light of 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 the representation.

4. All the monetary benefits, to which the petitioner is entitled, should be given to him in further period of two weeks.

5. In case, the petitioner is not entitled, he 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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