

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12842 of 2024

1. Deo Sharan Thakur Late Raghunath Thakur R/village- Basuhar Majadiya, P.O.- A.G. Bazar, P.S.- Kursela, District- Katihar.
2. Dev Narayan Jha S/o Late Kedar Nath Jha, R/o- Quartar No- 152, A/B, New Colony, Khagaul P.O. and P.S.- Khagaul, District- Patna.
3. Chandra Bhushan Singh S/o- Late Ranjit Singh, R/o Village- Panchgachhiya, ward No.- 09, Durgapur, P.O.- Panchgachhiya, P.S.- Bihra, District- Saharsa.
4. Siyakant Prasad S/o Late Ram Nandan Prasad R/village- Musanda Shakuntala Niwas, Devi Sthan, P.O.- Nauranga, P.S.- Muffasil Gaya, District- Gaya. At present Koshi colony, Haridayganj, Katihar, District- Katihar.
5. Jawahar Lal Jha S/o- Late Raghunath Jha R/o Mohalla- Bela Bhawan Kashipur, Belanet, Ward No.-9, P.O.- Kashipur, P.S. and District- Samastipur.
6. Bimal Kumar S/o Late Rameshwar Lal Das R/o village- Samaila, P.O.- Pachari, District- Darbhanga.
7. Shatrughan Mahto S/o Late Chhathu Mahto, R/o Mohalla- Harnichak, near govt. School, P.O.- Anisabad, P.S.- Beur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Finance Secretary, Finance Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Minor Water Resources Department, Vikas Bhawan, New Secretariat Building, Beli Road, Patna.
4. The Chief Engineer, Flood Control and Water Discharge, Water Resources Department, Birpur Supaul.
5. The Engineer in chief, Minor Water Resource Development, Jal Bhawan Shekhpura, Beli Road, Patna.
6. The Superintending Engineer, Eastern Koshi Tatbandh Circle, Saharsa.
7. The Superintending Engineer, Irrigation Circle, Bhagalpur.
8. The Superintending Engineer, Flood control Circle, Katihar.
9. The Superintending Engineer, Minor irrigation Circle, Darbhanga.
10. The Executive Engineer, Western Tatbandh Division, Nirmali (Sapaul).
11. The Executive Engineer, Water Discharge Division, Saharsa.
12. The Executive Engineer, Flood Control Division, Naugachhiya, Bhagalpur.
13. The Executive Engineer, Irrigation division, Baunsi, Banka.
14. The Executive Engineer, Minor Water Resource Division, Samastipur.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate
For the Respondent/s : Mr. Anuj Kumar, AC to SC- 12

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2024 Learned counsel for the petitioners and learned
counsel for the State are present.

2. The present writ petition has been filed for the
following reliefs:-

"(i) That an

appropriate writ or direction be
issued commanding the
Respondent to consider and
grant the same pay scale, which
has been granted to the
similarly situated persons by its
Memo No. 163 dated
08.01.2016 and Memo No. 2162
dated 28.02.2024, in view of the
clause 4C(1) of the Bihar State
Litigation Policy, 2011.

(ii) That an

appropriate writ or direction be



also issued commanding them to revise the pay scale accordingly and grant all consequential benefit with retiral benefits.

(iii) Any other relief or reliefs may be granted to the petitioners as they are found legally entitled to in the facts and circumstances of the case."

3. Learned counsel for the petitioners submits that he sought relief in the light of the decision made in CWJC No. 18433 of 2016 with analogous cases and he also sought relief that petitioners case may be considered in the light of Rule 4C(1) of the Bihar State Litigation Policy, 2011. Counsel submits that the petitioners representation are still pending before the authorities which is annexed as Annexure P/5 series. Counsel further relied on the order of this Court decided on 22.07.2024 passed in CWJC No. 10680 of 2024 Counsel prayed that representation of the present petitioners which is pending before the authority concerned may be decided.

4. In this view of the matter, the Principal Secretary,



Water Resources Department, Govt. of Bihar (respondent No. 2) is hereby directed to decide the representation of the petitioners by a reasoned and speaking order in the light of Rule 4C of the Bihar State Litigation Policy, 2011 within 90 days from the date of production of order.

5. With the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J.)

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