

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18260 of 2021**

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1. Mukul Kumar S/o - Late Umesh Nandan Kishore Resident of Naya Tola, Saristabad, P.O. - G.P.O., P.S. - Gardanibagh, District- Patna.
2. Sunil Kumar Pandey S/o Late Jagdish Prasad Pandey Resident of - Jail Road, Anand Colony, Tilkamanjhi, P.O. and P.S. - Tilkamanjhi, District - Bhagalpur.
3. Sanjay Kumar Singh S/o - Late Shailendra Kumar Sinha Resident of - Kumhar Toli, Near Rakhi Lauj, Railway Line, Kankarbagh, P.O. - Lohiya Nagar, P.S. - Kankarbagh, District- Patna.
4. Sangita Mishra D/o Late Permanand Pathak Resident at - F/10, Phase - II, Asiyana Nagar, P.O. - Ashiyana, P.S. - Rajeev Nagar, District - Patna.
5. Surendra Pratap Singh S/o - Late Munni Singh Resident of - Kathar, P.O. - Kathar, P.S. - Buxar, District- Buxar.
6. Anil Kumar S/o Late Suresh Choudhary Resident of Mithapur B Area, D.N. Singh Lane, P.O. - G.P.O., P.S. - Jakkanpur, District- Patna.
7. Shalini Priya W/o - Shree Arvind Kumar Resident at - Flat No. 302, Mateshwari Complex, Mangal Market, Sheikhpura, P.O. - B.V. College, P.S. - Shastri Nagar, District- Patna.
8. Buddhadeo Prasad Singh S/o - Late Deonandan Prasad Singh Resident of - Chhotaki Masaurhi, P.O. and P.S. - Masaurhi, District- Patna.
9. Shambhu Kumar Mehra S/o late Shiv Shankar Mehra Resident of Baghmara, P.O. and P.S. Jasidih, District Deoghar (Jharkhand).
10. Manish Ranjan Jha S/o - Late kailash Jha Resident at - Gajjar, P.O. and P.S. - Bounsi, District- Banka.
11. Wajeesh Ahmad S/o - Late Nesar Ahmad Resident of Daulatpur, P.O. - Daulatpur, P.S. Muffasil, Ara, District- Bhojpur.
12. Rishikesh S/o - Late Arjun Prasad Yadav Resident of Belhar, P.O. and P.S. - Belhar, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Secretary Expenditure, Fiance Department, Govt. of Bihar, Patna.
4. The Additional Secretary, Finance Department, Govt. of Bihar, Patna.



5. The Secretary, Rural Works Department, Govt. of Bihar, Patna.
6. The Chief Engineer- 2, Rural Works Department, Bihar, Patna.
7. The Chief Engineer - 4, Rural Works Department, Bihar, Patna.
8. The Superintending Engineer, Rural Works Department, State Quality Co-ordinator Patna, Bihar.
9. The Superintending Engineer, Rural Works Department, Advance Planning Circle, patna.
10. The Executive Engineer, Rural Works Department, Advance Planning Division- 1, Patna.
11. The Executive Engineer, Rural Works Department, Advance Planning - 2, Patna.
12. The Executive Engineer, Rural Works Department, Works Division, Bhagalpur, District- Bhagalpur.
13. The Executive Engineer, Rural Works Department, Works Division, Jhajha District- Jamui.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Rakesh Kumar  
For the Respondent/s : Mr.Ajay (Ga5)

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL JUDGMENT**

**Date : 06-03-2024**

The present writ petition has been filed seeking the following reliefs:-

“1(i). For issuance of an appropriate writ in quashing the Memo No. 8059 dated 14.09.2015 issued under the signature of Secretary Expenditure, Department of Finance, Govt. of Bihar contained in Annexure-5, whereby and whereunder the benefit provided to the Correspondence Clerk, Store Keeper in terms of



Finance Department Resolution No. 3111 dated 25.03.2015, vide Memo No. 6338 dated 16.07.2015 issued by the Additional Secretary, Department of Finance, Govt. of Bihar, contained in Annexure-4, has been withdrawn.

(ii). For issuance of an appropriate writ commanding the Respondent-Finance Department to provide the benefit to the petitioners of the Finance Department Resolution No. 3111 dated 25.03.2015 contained in Annexure-3.”

2. At the outset, the learned counsel for the parties are in agreement that the present case is squarely covered by a judgment, rendered by a coordinate Bench of this Court, dated 27.2.2019, passed in CWJC No. 9633 of 2016 (***Lachhman Kumar & Anr. vs. The State of Bihar & Ors.***) and other analogous cases, as has been upheld by the learned Division Bench of this Court, vide judgment dated 19.9.2023, passed in LPA No. 766 of 2019 (***The State of Bihar & Ors. vs. Biresh Kumar Singh & Anr.***) and other analogous cases, hence, it is jointly prayed by the learned counsel for the parties that the present case be disposed off in similar terms.

3. Having regard to the consensus arrived at in between the parties, I deem it fit and proper to dispose off the present writ petition in terms of the aforesaid judgment, rendered in the case



of *Lachhman Kumar & Anr.* (supra), as affirmed by the learned Division Bench of this Court in the case of *Biresh Kumar Singh & Anr.* (supra).

4. It is needless to state that similar benefits, as has been provided to the writ petitioners of the aforesaid cases, shall also be extended to the petitioners, after consideration of their case for grant of the same, in accordance with law, within a period of six weeks from today.

(Mohit Kumar Shah, J)

Ajay/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 09.03.2024 |
| Transmission Date | NA         |

