

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13047 of 2024

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Jitendra Prasad, son of Late Sadhu Sharan Prasad, resident of Flat No. D/222, Jyotipuram Apartment, Jagdeo Path More, Khajpura, Bailey Road, Pillar No. 10, P.S.- Shastri Nagar, District- Patna, Bihar-800014

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary, Rural Works Department, Bihar, Patna.
3. The Deputy Secretary, Rural Works Department, Bihar, Patna.
4. The Accountant General of Bihar, Veer Chand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhu Nath Pathak, Advocate
For the State	:	Mr. Sajid Salim Khan, SC 25
		Mr. Arif Daula Siddiqui, AC to SC 25
For the AG, Bihar	:	Mr. (Dr.) Anand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 02-09-2024 Heard Mr. Prabhu Nath Pathak, learned counsel appearing on behalf of the petitioner; Mr. Sajid Salim Khan, learned SC 25 along with Mr. Arif Daula Siddiqui, learned AC to SC 25 for the State and Mr. Dr.) Anand Kumar, learned counsel for the Accountant General, Bihar.

2. Learned counsel appearing on behalf of petitioner submits that petitioner seeks to file a detailed representation for the relief, as sought for in the present writ petition before the authority concerned 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 petitioner, the petitioner is given liberty to file a detailed representation before the authority concerned, who shall dispose of the representation of the petitioner expeditiously 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)* subject to the condition after verifying from the service particulars of the petitioner, as to whether, he has faced any disciplinary action affecting the pay scale.

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

5. Interlocutory Application(s), if any, also stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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