

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13294 of 2024

Manish Kumar, Son of Ramnarayan Thakur, Resident of village - Itarhi, Thakur Mohalla, ward no. 10, P.O. and P.S. - Itarhi, District- Buxar, Bihar, Pin Code- 802123.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Public Health Engineering Department, Patna, Bihar.
2. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Patna.
3. The Executive Engineer, Public Health Engineering Department, Division - Buxar.
4. The Sub-Division Officer, Public Health Engineering Department, Division - Buxar.
5. The Junior Mechanical Engineer, Public Health Engineering Department, Circle - Buxar, Division- Buxar.
6. The Superintending Engineer, Public Health Engineering Department, Mechanical, Circle- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rudrank Shivam Singh, Advocate
For the Respondent/s : Mr.Addl. Advocate General 4

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 10-09-2024 1. On the basis of a service agreement under Rural Water Supply Reorganization Scheme, the petitioner was appointed as a Pump Operator on daily wage basis for supply of water within the jurisdiction of Itarhi Panchayat. The said agreement was executed by and between the Mukhiya of the local Panchayat and the petitioner under the scheme “Rural Water Supply Reorganization Scheme.”

2. It is contended on behalf of the petitioner that



though the said service agreement was executed for one year, the petitioner has been working continuously till date.

3. In the meantime, the Public Health Engineering Department came up with a notification dated 8th of July, 2014, stating, *inter alia*, that in rural area, one Pump Operator and in urban area two Pump Operators would be appointed for a maximum period of three months.

4. It is contended on behalf of the petitioner that in view of such notification, the petitioner cannot, at present, pray for regularization of his employment. However, the petitioner did not receive any salary/wages during the period between 2014 and 2024 in accordance with the rate mentioned in the agreement and the petitioner is entitled to such dues.

5. It is submitted by the learned Advocate on behalf of the respondents that since the agreement was executed between Mukhiya, Itarhi and the petitioner, the said Mukhiya is personally responsible for making payment of the said money to the petitioner.

6. This Court is not in a position to accept such submission. Since the agreement was executed under the Rural Water Supply Reorganization Scheme envisaged by the Public Health Engineering Department, Patna, the respondents cannot



take/accept the services of the petitioner without payment of his wages.

7. In view of such circumstances, the instant writ petition is disposed of, directing the Respondent No. 4 to take up the matter with the Mukhiya, Itarhi panchayat and settle the arrears salary of the petitioner and the same is to be paid to him along with an interest of 8 per cent per annum till the payment of such arrears. The entire exercise shall be made within three months from the date of this order.

8. With the aforesaid direction, the instant petition stands disposed of, on contest, however, without costs.

(Bibek Chaudhuri, J)

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