

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14621 of 2024

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Md Nazare Imam, Son of late Mohammad Shafiq, Resident of C/6/35,
RCDWD Colony, Purnea, P.S.- Purnea, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary , Road Construction Department, Bihar, Patna
3. The Chief Engineer, National Highway Wing (North), Road Construction Department, Bihar, Patna
4. The Superintending Engineer, National Highway Circle, Road Construction Department, Bihar, Patna
5. The Superintending Engineer, Road Construction Department, Road Circle, Purnea
6. The Chief Engineer, Seemanchal Wing, Road Construction Department, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Nath Pathak, Advocate
For the Respondent/s : Mr. Aditya Nath Jha, AC to SC 18

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

- 2 26-09-2024 The petitioner was initially appointed in Class IV service under the Road Construction Department, Bihar. As the petitioner had initial qualification to be appointed on compassionate ground in the Class III post, he was recommended for appointment in the Class III post since 1996. For a few months, he was promoted to the post of Class III Cadre, but subsequently, by an order of the District Magistrate, Purnea, he was reverted back to Class IV post. Thus, challenging the said order, he filed ***CWJC No. 11771 of 2004***



before this Court. A Coordinate Bench of this Court disposed of the said writ petition vide an order dated 30th August 2005 setting aside the order of the Chief Superintending Engineer as well as the order of the District Magistrate and directing the respondent authorities to proceed with the matter afresh in accordance with law. Subsequently, the petitioner was posted on the Cadre of Class III, but no financial benefit was given to him. The Chief Engineer, National Highway Division, Purnea, recommended several times and lastly, on 21st March 2024, for granting financial and other consequential benefits to the petitioner in the Class III post, but the said letter lies with the Chief Engineer, National Highway (North Wing), Purnea. The said recommendation has not been acceded to till date by the Chief Engineer, so is the instant writ petition.

2. Having heard the learned counsels appearing on behalf of the parties, this Court directs the Chief Engineer, National Highway (North Wing), Road Construction Department, Bihar, Patna (respondent no. 3 herein) to dispose of the recommendation of the Superintending Engineer within a period of 60 days, in accordance with law by a reasoned and speaking order.



3. With the above direction, the instant writ petition is disposed of.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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