

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14551 of 2023

=====

Uday Kumar son of Late Harish Chandra Choudhary, resident of Mohalla-Professor Colony, Maripur, behind Zila Madhyamik Shikshak Sangh, P.S.-Kazi Mohamadpur, District-Muzaffarpur and at present resident of H. No. -8/8/, 3rd Floor, Malviya Nagar, P.S.-Malviya Nagar, District-Malviyanagar, South Delhi, Delhi, 110017.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Sinchai Bhawan, Govt. of Bihar, Patna.
2. The Secretary, Water Resources Department, Sinchai Bhawan, Govt. of Bihar, Patna.
3. The Deputy Secretary-2, Administration, Water Resources Department, Sinchai Bhawan, Govt. of Bihar, Patna.
4. The Engineer in Chief of Water Resources Department, Sinchai Bhawan, Govt. of Bihar, Patna.
5. The Accountant General of Bihar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Advocate
For the Respondent/s : Mr.Anjani Kumar (Aag 4)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1 That This is an application for issuance of writ of Mandamus or an appropriate writ for grant of Gratuity, leave in-casement and earn leave from 27 May 2010 to 20 August 2010, 27 April 2022 to 31 May 2022 and 3rd ACP from 2019 till now and also direct the respondents to release withholding of 10% pension amount, which has hold on the ground that the mobile



SIM of the petitioner was closed three years prior to the retirement of the petitioner (i.e. in year 2018-19) and for the same department took action just one month prior to retirement of the petitioner (i.e. in year 2022), without any reason and switch of the mobile for few time is not a economical offence and also direct the respondents to pay other admissible retirement benefit for which the petitioner is legally entitled with the interest at the rate of 12% per annum and/or for issuance of and appropriate writ/s, order/s or direction/s for which the petitioner is found legally entitled.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no.4 i.e. the Engineer in Chief of Water Resources Department, Sinchai Bhawan, Government of Bihar, Patna, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed, by the petitioner, before the Engineer in Chief of Water Resources Department, Sinchai Bhawan, Government of Bihar, Patna, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a



period of six weeks, thereafter.

4. The present writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

Saurav/-

U			
---	--	--	--

