

Civil Writ Jurisdiction Case No.15215 of 2024

- Petitioner/s

1. The State of Bihar through Additional Chief Secretary, Water Resources Department, Sinchai Bhawan, Main Secretariat, Patna.
2. Engineer-in-Chief, Water Resources Department, Government of Bihar, Sinchai Bhawan, Main Secretariat, Patna.
3. Chief Engineer, Flood Control and Drainage, Water Resources Department, Government of Bihar, Samastipur.
4. Superintending Engineer, Flood Control and Drainage Circle, Water Resources Department, Government of Bihar, Samastipur.
5. Superintending Engineer, Flood Control and Drainage Circle, Water Resources Department, Government of Bihar, Khagaria.
6. Executive Engineer, Water Drainage Division, Samastipur.

... .. Respondent/s

For the Petitioner/s : Mr. Braj Kishore Singh, Adv.
For the State : Mrs. Archana Meenakshi (GP-6)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

Learned Counsel for the State.

following relief/s:-

“I. For directing the respondents to re-fix the pension and other retiral dues of the petitioners after allowing them the pay scale of Rs. 6500-10500 with effect from 09-08-1999, on grant of 1st ACP to



them and further higher pay scale of Rs 10000-15200 with due dates on grant of 2nd MACP to them as well as allowing them the benefit of 3rd MACP with due dates, in terms of resolution no. 163 dated 08.01.2016, issued by the Finance department of the respondent State and in the light of the common judgment and order rendered in C.W.J.C. no. 18433 of 2016 and other analogous cases, which judgment and order stands affirmed by the Hon'ble Supreme Court in SLP (C) nos. 8219-8226 of 2019 and other S.L.Ps."

3. Learned Counsel for the petitioners submits that petitioners' case is squarely covered from the order dated 06.11.2023 passed in Civil Writ Jurisdiction Case No.4546 of 2018 (Umesh Thakur Vs. The State of Bihar & Ors.). Counsel further submits that they have filed application before the Executive Engineer, Water Resource Department, Samastipur. Counsel further submits that petitioners' case is squarely covered and therefore, in the light of section 4.C of the Bihar State Litigation Policy, 2011, petitioners are entitled for the same relief. Counsel for the petitioners specifically submits that petitioners' representation are annexed as Annexure-P-9 &



Annexure P-9/1 of the writ petition, but till date, no decision has been taken by the authorities concerned.

4. Learned Counsel for the State submits that a direction may be given to the authorities concerned to take a decision with regard to the petitioners' representation.

5. In the light of the submissions made by the parties, it is hereby directed to the Executive Engineer, Water Drainage Division, Samastipur (respondent no.6) to take a decision with regard to the petitioners' representation within 90 days from the date of production of the order.

6. Hence, with the aforesaid direction, the present writ petition stands disposed off.

(Dr. Anshuman, J)

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