

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3476 of 2025

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Alexander George Peter S/o Late C. T. Peter R/o Durga Mandir Gandhi
Nagar, Milki, Post-Laxmisagar, P.S.-Darbhanga Sadar, Dist-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Additional Chief Secretary, General administration Department, Govt. of Bihar, Patna.
4. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
5. The Engineer-in-Chief Cum Special Secretary, Rural Works Department, Govt. of Bihar, Patna.
6. The Chief Engineer, Rural Works Department, Govt. of Bihar, Patna.
7. The Superintending Engineer, Rural Works Circle, Samastipur.
8. The Superintending Engineer, Rural Works Circle, Darbhanga.
9. The Executive Engineer, Rural Works Department, Works Division, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Siyaram Pandey with Mr. Dewesh Kumar Pandey, Advocates
For the State	:	Mr. Vijay Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 27-02-2025

Heard Mr. Siyaram Pandey, learned Advocate for the
petitioner and Mr. Vijay Kumar Singh, learned Advocate for the
State.

2. The petitioner has invoked the jurisdiction of this
Court seeking the following reliefs:

*“1. To grant 3rd MACP in the revised pay band
-03-15,600-39,100+ grade pay 6600/- with
effect from 03.07.2022 with all consequential
benefits including payment of arrear likewise*



*so many similarly situated employees of the department and in compliance of the order dated-28.06.2024 passed in **CWJC No.18727/2017 (Kamlanand Thakur V/s The State of Bihar & ors)** (Full Bench Order) and in compliance of the Bihar State Litigation Policy, 2011.*

II. To make the service of the petitioner continue for all effects and purposes and for all consequential benefits specially for grant of three promotions after completion of 10,20&30 years of service with due dates and accordingly revise the pensionary benefits including gratuity and leave encashment.

III. And/or be pleased to pass such other order/orders which may be deemed fit and proper in the facts and circumstances of the case.”

3. Learned Advocate for the petitioner referring to the averments made in the writ petition has contended that the case of the petitioner is squarely covered with the case of ***Pramod Kumar &Ors vs. The State of Bihar & Ors (CWJC No. 18015 of 2011)*** as also the Full Bench decision of this Court in the case of ***Kamlanand Thakur*** (supra). Since the issue has already been set at rest and the case of the petitioner is covered by the aforenoted decisions, the identical relief must be accorded to the petitioner in terms of Clause 4C of the State Litigation Policy, 2011.

4. Learned Advocate for the petitioner referring to Annexure P/6 has contended that the identically situated persons



have also been granted the identical relief for which the petitioner has approached this Court.

5. For redressal of the grievance, the petitioner also approached the Engineer in Chief, Rural Works Department, Bihar, Patna by filing a detailed representation, copy of which is marked as AnnexureP/7, but till date no favourable order has been passed.

6. Learned Advocate for the State, at this juncture, submitted that since the petitioner is seeking parity to the petitioner of the aforementioned cases, the same is required to be considered by the respondent authorities.

7. Having heard the learned Advocates for the respective parties and considering the nature of the grievance, the present writ petition stands disposed of with a liberty to the petitioner to file a fresh representation before the respondent nos. 2 and 5, preferably within a period of two weeks from today.

8. In case such a representation is filed, the same shall be considered and disposed of by reasoned and speaking order in the light of the decisions referred hereinabove, preferably within a further period of 12 weeks.

9. Suffice it to observe that in case the case of the



petitioner finds similar to the petitioners of the aforementioned case, identical relief be accorded to the petitioner within the period stipulated.

10. The writ petition stands disposed of with the aforesaid observations and directions.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	01 .03.2025
Transmission Date	

