

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17580 of 2016**

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Sanjay Kumar Srivastava Son of Late Indradeo Narayan Prasad, resident of  
Village- Jitwarpur, P.O.- Barka Baneya, P.S.- Dermi District- Saran at present  
posted as Peon, Minor Irrigation Circle, District- Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Engineer, Minor Water Resources Department, Muzaffarpur.
3. The Superintending Engineer, Minor Irrigation Circle, Quality Control/  
Investigation, Sheikhpura, Patna.
4. The Superintending Engineer, Minor Irrigation Circle, Chapra, Saran.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate  
For the Respondent/s : Mr. Chitranjan Sinha, PAAG2

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      12-12-2025

**Re: I.A. no.1 of 2017 (1313 of 2017)**

1. The instant application has been filed for  
withdrawal of the writ application.

2. The petitioner has filed the instant writ application  
for the following reliefs:

*“(a) To issue a writ of mandamus  
commanding the respondents to discharge their  
legal obligation to pay the dues salary of  
petitioner for the period in between 1.12.1998 to  
31.5.1999 during which he was kept waiting for*



*posting after his joining on recovery from mental sickness, in illegal manner.*

*(b) To issue a further writ of mandamus commanding the respondents to pay the dues arrear of salary of petitioner for the months of November and December 1999 during which he was on leave due to birth of his child and illness of his wife and also for the months of April 2000 to June 2000 of leave period during which he was on leave due to illness of his mother and his wife, after sanctioning his leave, which have not been paid to him in illegal and arbitrary manner.*

*(c) To issue further writ of mandamus commanding the respondents to discharge their legal obligation to follow their own decision and pay the grade pay of Rs./- 1800/- in place of grade pay of Rs./- 1350/- as has been paid to similarly situated Metric pass employees, in terms of Finance department circular no. 630 dated 21.1.2010.*

*(d) To issue further writ of mandamus commanding the respondents to discharge their legal obligation to pay the arrears of Increments, benefits of six pay revision, promotion, ACP as applicable to the petitioner, for which the petitioner may be found entitled to.*

*(e) To issue further writ of mandamus commanding the respondents to pay the entire*



*dues amount of salary, increments etc. of the petitioner along with calculation chart and interest at the rate of 18% per annum since the date the amounts have become due, till the date of their respective payments.*

*(f) To any other relief or relief's for which the petitioner may be found entitled to."*

3. By filing the interlocutory application the petitioner states that having been assured by the authorities of the department for redressal of the grievances, as advised, he seeks permission to withdraw the writ application with liberty to challenge the action and order of the authorities if any, which would be against the interest of the petitioner.

4. The relevant portion of the interlocutory application is quoted herein below for ready reference:

*"(3) That it is stated that during pendency of writ application the petitioner has been assured by the authorities of department concerned for Redressal of his grievances shortly, which is under consideration and petitioner has been given advise to withdraw the writ application at present in the circumstances mentioned above.*

*(4) That in view of the facts mentioned above it is in the interest of justice that the petitioner may be permitted to withdraw this writ application with a liberty to challenge the action and order*



*of the authorities, if any, which would be against  
the interest of the petitioner.”*

5. In view of the above, the application is disposed of  
as withdrawn with the aforesaid liberty.

**(Partha Sarthy, J)**

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