

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6150 of 2025

Mukesh Kumar S/o Late Ram Sharan Singh, Resident of Mohalla- Near Devi
Asthan, Bhusanda, P.S- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Minor Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Secretary, Minor Water Resources Department, Government of Bihar, Patna.
4. The Engineer in Chief, Minor Water Resources Department, Government of Bihar, Patna.
5. The Chief Engineer (Planning and Monitoring and Ground Water), Minor Water Resources Department, Government of Bihar, Patna.
6. The Chief Engineer, Minor Water Resources Department (Minor Irrigation), Bhagalpur, District- Bhagalpur.
7. The Superintendent Engineer, Minor Irrigation Circle, Munger, District- Munger.
8. The Executive Engineer, Minor Irrigation Division, Munger, District- Munger.
9. The Accountant General (A and E), Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shashi Saurabh, Adv.
For the Respondent/s : Mr.Government Pleader (24)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-04-2025 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed with the following reliefs:-

“1. For issuance of an appropriate writ commanding the respondents to grant the benefit of Finance Department Resolution dated 08.01.2016



issued vise Memo No. 163 dated 08.01.2016 under the signature of Secretary (Expenditure), Department of Finance, Government of Bihar and to revise the benefit of 1st and 2nd MACP in the scale of P.B 2 of RS. 4800/- (1st MACP) and pay Level 9 (2nd MACP) with effect from 05.02.2012 and 05.02.2022 respectively.”

3. Counsel for the petitioner submits that the petitioner has moved before this Hon'ble Court twice. Firstly, in CWJC No.5434 of 2024, which was allowed in favour of the petitioner dated 14.05.2024 and secondly, in CWJC No.10447 of 2024 which was allowed on 15.07.2024.

4. Counsel further submits that the unfortunate part of this case is that respondent authorities have granted reliefs in piecemeal and presently, the petitioner's relief has been stopped in the name pendency of curative petition.

5. Counsel for the State submits that there is no any curative petition pending. He further submits that the petitioner has filed representation before Executive Engineer, Minor Irrigation Division, Munger vide Annexure-P/12, but no order has been passed by the said respondent authorities.

6. It transpires to this Court that the petitioner has filed representation before the Executive Engineer, Minor Irrigation Division, but now, he has to file his representation



before the Chief Engineer, Minor Water Resources Department
(respondent No.5)

7. As such, in the light of the submissions made, the present writ petition is hereby disposed off directing the petitioner to file a fresh representation raising all his grievances including the prove of disposal of curative petition before the Chief Engineer, Minor Water Resources Department (respondent No.5) within 30 days and respondent No.5 is hereby directed to pass a reasoned and speaking order within 90 days from the date of receiving of his representation.

8. With the aforesaid directions and observations, the present writ application stands disposed off.

(Dr. Anshuman, J.)

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