

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9955 of 2025

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Shailendra Kumar, Son of Sri Ramashray Kumar, Resident of Flat No. 303,
Jagmani Apartment, Shaket Bihar, Mitra Mandal Colony, Anishabad, P.S-
Phulwari Sharif District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Water Resources Department, Bihar, Patna.
2. The Additional Secretary, Water Resources Department, Bihar, Patna.
3. The Joint Secretary, (Management) Water Resources Department, Government of Bihar, Patna.
4. The Deputy Secretary, Water Resources Department, Government of Bihar, Patna
5. The Under Secretary, (Management) Water Resources Department, Government of Bihar, Patna
6. The Officer on Special Duty, Vigilance Department, Information Bhawan, Patna.
7. The Engineer-in-Chief, Flood Control, Water Resources Department, Bihar, Patna.
8. The Engineer-in-Chief, Cabinet Vigilance, Takniki Parikshak Koshang, Bihar, Patna.
9. Sri Shailesh Kumar, Dy. Secretary, Management, Water Resources Department, Bihar, Patna.
10. Sri Alok Gutpa, The Executive Engineer, Flood Control Design Division-II, Patna-cum-Law Officer, Water Resources Department
11. Sri Bijendra Kumar, the Executive Engineer, Durgawati Works Division, Chenari, District-Bhabhua at Kaimur
12. Deepak Pradhan, the Executive Engineer, Irrigation Division, Jhajha
13. Sri Ajay Kumar Gupta, The Executive Engineer, Water Resources and Drainage Division, Raghampur, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate
For the Respondent/s : Mr. K.K. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-07-2025 Heard the parties.

2. At the outset, learned Advocate for the petitioner seeks permission to make necessary correction in the cause title of the respondent no. 2.



3. Permission is accorded.

4. The same must be done in course of the day.

5. The petitioner is aggrieved with the letter as contained in Memo No. 2070 dated 14.05.2025 issued under the signature of the respondent no. 5, whereby the petitioner has been removed from the current charge of Executive Engineer, Water Resources Department, Government of Bihar, Patna and posted as an Assistant Engineer at Sub Divisional Officer, Sikrahna, Embankment Sub Division-4, Motihari.

6. It is the specific contention of the petitioner that while the petitioner was discharging the duty under the working arrangement as Executive Engineer, in the mean while, he was subjected to a memo of charge, which was duly responded by the petitioner and finally the petitioner has been exonerated with all the charges.

7. Taking note of the charges, the petitioner has been demoted to the post of Assistant Engineer, however, the respondent authorities failed to consider that now there is no charges pending against the petitioner and in the mean while, persons junior to the petitioner, have been posted against the current charge of Executive Engineer, under whom the petitioner has been compelled to discharge the duty. The entire facts have been brought to the knowledge of all the respondent authorities, including the Principal Secretary, Water Resources



Department, Bihar, Patna but no appropriate decision has been taken till date, compelling the petitioner to approach before this Court.

8. Mr. K.K. Singh, learned Advocate for the State fairly submitted that the petitioner has already brought the entire facts before the Principal Secretary, who is the competent authority to consider the grievance of the petitioner.

9. Having heard the learned Advocate for the respective parties, this Court *prima facie* is of the opinion that since the petitioner has now been exonerated from all the charges; it would be in the ends of justice, for redressal of such grievance the petitioner shall approach the Additional Chief Secretary, Water Resources Department, Bihar, Patna preferably within a period of two weeks from today by filing a detailed representation.

10. In case such a representation is filed alongwith the order of this Court, the same shall be considered and disposed off in accordance with law, preferably within a further period of eight weeks.

11. The writ petition stands disposed.

(Harish Kumar, J)

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