

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.379 of 2022

In
Civil Writ Jurisdiction Case No.81 of 2021

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1. The State of Bihar through Principal Secretary, Water Resources Department, Government of Bihar, Patna.
 2. The Joint Secretary, Water Resources Department, Government of Bihar, Patna - cum - Enquiry Officer.
 3. The Additional Secretary, Water Resources Department, Bihar, Patna.
 4. The Engineer - in - Chief, Water Resources Department, (Headquarter), Government of Bihar, Patna.
 5. The Chief Engineer, Flood Control and Drainage, Water Resources Department, Muzaffarpur.
 6. The Superintending Engineer, Flood Control and Drainage Circle, Motihari.
 7. The Executive Engineer, Flood Control Planning and Monitoring Division 18, Water Resources Department, Patna - cum - Presenting Officer.
 8. The Executive Engineer, Drainage Division, Motihari.
 9. The Secretary, Bihar Public Service Commission, Bailey Road, Patna.

... .. Appellants.

Versus

Om Prakash, son of Late Kishun Sah, resident of Bengali Tola, Ward No. - 25, Near Sant Paul's School, P.S. Samastipur, District - Samastipur, at present posted as Assistant Engineer, Bihar State Food and Civil Supply Corporation Limited, Patna.

... .. Respondent.

Appearance :

For the Appellant	:	Mr. Anjani Kumar, AAG-4. Mr. Sanjay Prasad, AC to AAG-4.
For the Respondent	:	Mr. Indu Bhushan, Advocate. Mr. Ujjawal Bhushan, Advocate.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 23-07-2025

The appellants-State have assailed the order of the learned Single Judge dated 25.03.2021 passed in C.W.J.C.



No.81 of 2021. It is a short order and it reads as under:

“Heard learned counsel for the petitioner and the respondents.

Learned counsel for the petitioner submits that the case of the petitioner is covered by the oral judgment of this Court dated 04.03.2021 passed in C.W.J.C. No.7416 of 2018.

Without going into the merit of the case, the writ application is disposed of with a direction to the respondents to scrutinize the fact and if it is found that the case of the petitioner is covered by the judgment dated 04.03.2021 passed in C.W.J.C. No.7416 of 2018, same treatment should be extended to this petitioner within a maximum period of four months from the date of receipt/production of a copy of this order.”

2. The appellants-State feeling aggrieved by the order dated 04.03.2021 passed in C.W.J.C. No.7416 of 2018 preferred L.P.A. No.557 of 2021 and it was decided by the Coordinate Bench on 02.09.2024 with certain modification of the learned Single Judge order. To the above effect, the present L.P.A. No.379 of 2022 is also allowed in part to the extent that the appellants are permitted to initiate departmental inquiry afresh from the defective stage.

3. Accordingly, the present L.P.A. No.379 of 2022



stands disposed of.

4. Pending Interlocutory Application(s), if any, stands disposed.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.07.2025.
Transmission Date	NA

