

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10664 of 2024

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1. Krishna Singh @ Sri Krishna Singh S/o Dhanpat Singh, Resident of village-Tar Bangala, P.S.- Dehri-on-Sone, Dist.- Rohtas.
 2. Shiv Ji Ram, S/o Ache Lal Ram, Resident of New Highdal Aara Machine ke picche, Village- Tar Bangala, Ward No.- 38, P.S.- Dehri-on-Sone, Dist.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resource Department, Patna.
2. Chief Engineer, (Mechanical), Water Resource Department, Patna.
3. Superintendent Engineer, Mechanical, Water Resource Department, Patna.
4. Executive Engineer, Irrigation Mechanical Divisional Dehri-on-Sone, Rohtas.
5. Treasury Officer, Dehri-on-Sone, Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Adv.

Mr. Ajay Kumar Tiwari, Adv.

For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP 14

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 23-04-2025

Heard the parties.

2. The grievance of the petitioners is confined only to the inaction of the respondents in not extending the benefits of the financial upgradation under ACP Rules, compelling them to approach this Court.

3. Learned G.P.-14, Mr. Dhurjati Kumar Prasad made a preliminary objection with regard to the maintainability of the writ petition in view of the fact that before approaching this Court the petitioners have never moved before any of the



authority concerned; hence in no circumstances a writ of mandamus can be issued.

4. Learned Advocate for the petitioners at this juncture submits that the petitioners may be directed to move before the respondent no. 3 for redressal of their grievances.

5. Considering the aforesaid facts, the writ petition stands disposed of with a liberty to the petitioners to file a detailed representation before the respondent no. 3, preferably within a period of four weeks from today.

6. In case such representation is filed, the respondent no. 3 shall consider the claim of the petitioners in the light of the Full Bench decision of this Court in the case of *Kamlanand Thakur vs. State of Bihar & Ors. (Full Bench)* reported in *2024 (4) BLJ 806* within a further period of 12 weeks thereafter.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.04.2025
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