

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15670 of 2018

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Arun Kumar Sinha S/o Late Sachchidanand Prasad Sinha, resident of
Mohalla- Pankha Toli, Lichi Bagan, P.S. Town Thana District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Rural Works Department, Government of Bihar, Visheshwariya Bhawan, Beli Road, Patna
2. The Principal Secretary, Department of Finance Govt. of Bihar, Patna.
3. The Under Secretary, Rural Works Department, Govt. of Bihar, Visheshwariya Bhavan Beli Road, Patna-1
4. The Engineer-In-Chief, Rural Works Department, Govt. of Bihar, Visheshwariya Bhavan, Beli Road, Patna
5. The Chief Engineer-2, Rural Works Department, Govt. of Bihar Visheshwariya Bhavan, Beli Road, Patna-1
6. The Superintending Engineer, Rural Works Department, Work Circle, Govt. of Bihar, Bettiah (West Champaran)
7. The Executive Engineer, Rural Works Department, Works Division, Govt. of Bihar, Bettiah West Champaran).
8. The Superintending Engineer, Advance Planning Circle, Rural Works Department, Govt. of Bihar, Patna
9. The Executive Engineer, Rural Works Department, Regional Laboratory, Govt. of Bihar, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Advocate Mr. Pradeep Kumar Sinha, Advocate Mrs. Punam Shrivastava, Advocate
For the Respondent/s	:	Mr. Ajay, GA-5 Mr. Rakesh Kumar Ranjan, AC to GA-5

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-04-2025 Heard learned Counsel for the petitioner and learned
Counsel for the State.

2. After some argument, learned Counsel for the



petitioner submits that it transpires that after passing order dated 10.07.2017 where the service of the petitioner was regularized for the gap period also must not ought to be challenged, instead thereof he is aggrieved only for the salary part which has not been accepted by State. Counsel for the petitioner submits that in this background he seeks permission to withdraw the present writ petition with liberty to file fresh representation before the authority concerned to consider his case afresh for payment of salary.

3. Learned Counsel for the State submits that case of the petitioner has been considered in the light of treating him as unauthorized absence and payment not made on the ground of no work no pay.

4. In the light of the submissions made by the parties, the authority must have to look into that aspect i.e., whether petitioner is at fault for not joining or the department is at fault for not accepting his joining.

5. It is made clear that petitioner shall file his representation afresh before respondent No.4, the Engineer-in-Chief, Rural Works Department, Government of Bihar, Visheshwariya Bhawan, Beli Road, Patna, who shall decide the representation of the petitioner in this regard mentioned above



within 90 days upon receiving of fresh representation.

6. With the aforesaid direction, this writ petition is disposed off.

(Dr. Anshuman, J)

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