

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.322 of 2025

Bindeshwari Choudhary Son of Late Kailash Choudhary, resident of village-Suhiya, P.S.- Sahpur, District - Bhojpur at Arrah.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Dy. Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Joint Secretary, Water Resources Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ramanuj Tiwary, Advocate
For the Respondent/s : Mr. Additional Advocate General (12)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-01-2025 Heard learned Advocate for the petitioner and
learned Advocate for the State.

2. The petitioner has approached this Court seeking a direction upon the concerned respondents to treat the services of the petitioner rendered as Assistant Engineer in the Office of Executive Engineer, Gandak Rupankan Pramandal-2, Patna w.e.f. 05.05.1964 till 06.10.1966 for the purposes of computation of pension, with all consequential and monetary benefits.

3. Learned Advocate for the petitioner contended that it is the admitted fact that prior to the appointment of the



petitioner in the department of Water Resources, Central Rupankan Pramandal, Patna, the petitioner had been serving as Assistant Engineer in the office of Executive Engineer, Gandak Rupankan Pramandal-2, Patna. However, initially there was a bar in terms of the Finance Department Letter no.1191 dated 01.06.2005 that for redressal of such grievance, the incumbent must approach before the authorities concerned within 10 years. However, the bar as provided has been taken away by a Letter no.131 dated 04.03.2020 issued by the Additional Secretary, Department of Finance, Government of Bihar. Pursuant thereto, the petitioner submitted his detailed representation on 03.10.2024 alongwith all the relevant documents as required by the department, the copy of which has marked as Annexure-5 of the writ petition. It is the contention of the petitioner that despite a representation filed pursuant to the Letter no.131 dated 04.03.2020, till date, the claim of the petitioner for counting the past services for computation of pension has not been considered, compelling him to approach before this Court.

4. On the other hand, learned Advocate for the State fairly contended that since the petitioner has already approached before the concerned authorities, necessary order shall be passed.



5. Regard being had to the submission made on behalf of the parties and considering the fact that the representation of the petitioner is already pending before the respondent no.2, who is the competent authority to consider the claim of the petitioner and pass necessary order, this Court deems it appropriate to dispose off the present writ petition with a direction to the respondent no.2 to consider the claim of the petitioner and pass reasoned and speaking order, in terms of Letter no.131 dated 04.03.2020, preferably within a period of 12 weeks from today.

6. Accordingly, the present writ petition stands disposed .

(Harish Kumar, J)

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