

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1395 of 2022

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Ramdev Sah S/o Late Kanti Sah Resident of Village- Tulshipur, P.S.- Kharik,
District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar Patna.
2. The Secretary, Irrigation (Minor) Govt. of Bihar Patna.
3. The Engineer in Chief Minor Irrigation (Tue- bell Section, Minor Irrigation).
4. The Executive Engineer Minor Irrigation (Tue- bell), Bhagalpur Division, Bhagalpur, Bihar.
5. The Assistant Engineer, Minor Irrigation (Tue- bell), Naugachia Bhagalpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Thakur, Advocate
For the Respondent/s : Mr. Ajit Kumar, GA-9

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL JUDGMENT

Date : 16-02-2026

Heard the parties.

IA No. 01/2026

2. The present interlocutory application has been filed to modify the order dated 12.01.2026 passed in the present writ petition, by which the petitioner was directed to submit the hard copy of the writ petition.

3. The learned counsel for the petitioner submits that although he has submitted the hard copy of the writ petition but no receiving was given for the same and the hard copy of the writ petition is not on the record in the present writ petition.



4. Accordingly, the present interlocutory application is disposed of.

C.W.J.C. No. 1395 of 2022

5. The present writ petition has been filed for a direction upon the respondents for fixation of the date of appointment as Nalkoop Chalak (Tubewell Operator) w.e.f. 31.12.1979 instead of 28.01.1989 and for fixation of salary and pension w.e.f. 31.12.1979 upon same, for grant of arrears in pursuance of his seniority, salary and enhanced pension and for the other emoluments as EPF, GPF and others.

6. The brief facts giving rise to the present writ petition is that petitioner was initially appointed as *Nalkoop Chalak* (Tubewell Operator) on daily wage basis in view of the order no. 7389 dated 28.11.1979 issued by the Executive Engineer of the concerned department. Subsequently, the services of the petitioner along with others was regularised vide letter no. 243 dated 28.01.1989 issued by the competent authority and accordingly, the petitioner started discharging his duties. The petitioner remained in service and finally retired on August, 2018 and till the date of his retirement, he did not raise any claim before any of the authorities for the relief sought for in the present writ petition, meaning thereby that the petitioner



was satisfied and he had got no grievance whatsoever. Even after his retirement, the petitioner did not choose to file any writ petition, rather preferred the present writ petition on 27.01.2022 i.e. after more than three years of his retirement.

7. A counter affidavit has been filed on behalf of the respondent nos. 2 to 5, wherein it has been stated that the petitioner was initially appointed on the post of *Nalkoop Operator* as a daily wage employee and was regularised on the orders of the competent authority and after his regularisation, he never raised any claim. After retirement, the petitioner has been given all the due benefits for which he was entitled and nothing remains to be paid to him on account of his post retirement benefits or any other entitlement.

8. After having heard the learned counsel for the parties and on perusal of the documents available on record, this Court finds that admittedly the petitioner was regularised vide letter no. 243 dated 28.01.1989 and after completion of his service satisfactorily, he superannuated in August, 2018. Never during course of his service period after his retirement, he raised any grievance for shifting his services w.e.f. 31.12.1979. The petitioner even filed the present writ petition after more than three years of his retirement and has not disclosed any reason



for delay in raising his grievance.

9. Accordingly, I find no merit in the writ petition
and the same is dismissed.

(Ritesh Kumar, J)

AjayMishra/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	19.02.2026
Transmission Date	NA

