

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7562 of 2025

Ashok Kumar Son of Late Bhagwan Mistry, resident of Shivasthan Colony
Rajgir, Police Station - Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Patna.
2. The Chief Engineer, Public Health Engineering Department, Bihar, Patna.
3. The Superintendent Engineer, Public Health Engineering Division, Patna Circle, Patna.
4. The Executive Engineer, Public Health Engineering Division, Bihar Sharif, Nalanda.
5. The Accountant General Bihar, Patna, Birchand Patel Path, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amaresh Kumar, Advocate
For the State	:	Mr. K.P. Gupta, GP-10
		Mr. Satya Vrat, AC to GP-10
For Accountant General Bihar, Patna	:	Ms. Ritika Rani, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-03-2026 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Accountant
General Bihar, Patna.

2. Learned counsel for the petitioner submits that the
present writ petition has been filed for the following reliefs:-

“(i) For issuance of an appropriate writ/writs in the nature of mandamus commanding and directing the respondents to treat the full length of service 33 years (32 years 7 month 18 days) and pay full pension and other pensionary benefit to the petitioner in place of total to period



service counted by respondent 10 years 4 month 11 days but not paid pensionary benefit.

(ii) Further prayer to revise the pension and pay arrear of pension with suitable interest total length 32 years, 7 months and days in place of 10 years 4 months and days.

On 20.7.1981 petitioner was appointed as daily wager and on 17.3.1988 Nalyojak in work charge establishment and promoted to the post of work Sarkar on 27.5.1994 all of a sudden on 02.09.2002 his service was reverted to daily wager on 16.07.2006 vide Memo No.716 the respondent ordered to posted the petitioner on old post on which he was working prior to issuance of aforesaid order dated 02.09.2002 and accordingly he was posted on 30.12.2016 vide order No. 235 on the post of Keyman-cum-Chaukidar given all benefits, all of a sudden on 07.07.2014 but they are not giving full pensionary benefit treating his joining on 1988.

(iii) Further for any other relief/ reliefs in the facts and circumstances started above.”

3. Learned counsel for the State raised preliminary objection and submits that the petitioner has demanded issuance of a writ of mandamus, but no representation has been filed by the petitioner. Counsel further submitted that it is a mistake on the part of the petitioner.



4. In response thereto, counsel for the petitioner seeks permission to withdraw the present writ petition in order to file a representation before the concerned authority.

5. Permission, as prayed for, is granted.

6. Accordingly the present writ petition stands dismissed as withdrawn.

(Dr. Anshuman, J.)

Aman Kumar/-

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