IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15824 of 2026

CNR No. BRHC011034292026

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Anil Kumar Son of Sri Kailash prasad Vishwakarma, Resident of Shahganj (Gargah Road), Near Maharani Gas Godown, P.O. Mahendru, P.S. Sultanganj, Patna- 800006.

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Additional Chief Secretary/Principal Secretary, Irrigation and Water Resources Department, Government of Bihar, Patna.
3. The Chief Engineer, Central Designs, Research and Quality Control, Anisabad, Patna.
4. The Superintending Engineer, Research and Training Circle, Khagaul, Patna.
5. The Executive Engineer, Research and Training Division-2, Research Bhawan, Khagaul, Patna.
6. The Treasury Officer, Secretariat Treasury, Sinchai Bhawan, Patna.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Kumar Ravish, Advocate
Mr. Sanjay Kumar Sharma, Advocate
Mr. Rohit Kumar, Advocate
Mr. Ayush Kumar, Advocate
For the Respondent/s : Mr. Pramod Kumar Singh, GP-34

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 30-10-2026 Heard learned counsel for the petitioner and learned GP-34 appearing on behalf of the State.

2. With the consent of the parties, the present writ application is being disposed of at this stage.

3. The petitioner has preferred this writ application for a direction particularly to Respondent No. 5 to consider the representation of the petitioner for grant of Notional Annual

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Increment w.e.f. 01.07.2020 along with consequential revision of pension and retiral benefits.

4. Further, the petitioner has prayed for quashing of the letter No. 338/Khagaul dated 22.04.2024 (Annexure- P/3) issued by Respondent No. 5 wherein it was communicated that no judicial order exists in favour of the petitioner since his name was not among the writ petitioners in CWJC No. 3460 of 2020.

5. The petitioner has further prayed for implementation of the Resolution No. 7831 dated 22.07.2024 issued by the Finance Department, Government of Bihar, extending notional increment benefits to employees retiring on 30th June / 31st December. The petitioner was appointed as Accounts Clerk in the year 1982 and superannuated from service as Senior Accounts Clerk on 30.06.2020 from the Irrigation and Water Resources Department, Government of Bihar.

6. The Hon'ble Patna High Court on a Judgment dated 02.02.2024 passed in CWJC No. 3460 of 2020 have passed the order regarding the grant of annual increment to government servant retiring on 30.06.2020.

7. The State of Bihar had preferred the ***L.P.A. No. 1184 of 2024 (State of Bihar and others) v. Prafulla Chandra***

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Chaudhary and Others) challenging the aforesaid order and vide order dated 01.12.2025, the Hon'ble Court had upheld the order passed in CWJC No. 3460 of 2020 upholding the entitlement of employees retiring on 30th June to receive an annual increment falling due on 1st July.

8. Other similarly situated persons have preferred various writ applications before this Hon'ble Court vide Annexure- P/7 series and the Hon'ble Court in all the cases directed the petitioners to file their representation before the competent authority in light of the LPA No. 1184 of 2024.

9. The petitioner also filed a representation on 01.04.2024 vide Annexure- P/2 to this writ application seeking a notional annual increment for pension calculation based on the Judgment passed in CWJC No. 3460 of 2020 and by the impugned order dated 22.04.2024 issued by the Respondent No. 5 which was communicated to the petitioner that no judicial order exists in favour of the petitioner since his name was not among the writ petitioner being CWJC No. 3460 of 2020 and other analogous cases.

10. Aggrieved by the same, the petitioner has assailed the aforesaid order in the present writ application.

11. It is therefore submitted on behalf of the petitioner

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that the Respondent No. 5 (The Executive Engineer, Research and Training Division-2, Research Bhawan, Khagaul, Patna) may be directed to consider the representation of the petitioner for extending the notional increment benefits for which the petitioner is ready to file the fresh representation.

12. Learned counsel for the State submits that the petitioner may be directed to file a fresh representation providing details of his service profile along with supported materials and judgments for adjudication of his claim

13. Considering the above, petitioner is directed to file a fresh representation before the Respondent No. 5 (The Executive Engineer, Research and Training Division-2, Research Bhawan, Khagaul), Patna along with all supportive documents within a period of four weeks from today.

14. If such representation is filed within the stipulated time, the Respondent No. 5 (The Executive Engineer, Research and Training Division-2, Research Bhawan, Khagaul, Patna) shall dispose of the same within a period of eight weeks from the date of receipt of this representation.

15. It is needless to emphasize that the final order which shall be passed by the Respondent No. 5 (The Executive Engineer, Research and Training Division-2, Research Bhawan,

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Khagaul, Patna) should be a reasoned and speaking order and liberty of hearing should be granted to the petitioner.

16. It is further clarified that if the Respondent No. 5 (The Executive Engineer, Research and Training Division-2, Research Bhawan, Khagaul, Patna) comes to the conclusion that the petitioner is entitled to the relief for which he is claiming through his representation then the same should be extended to the petitioner within a period of four weeks from passing of the final order.

17. With the above observation/direction and liberty as granted, the present writ application stands disposed of.

(Kumar Manish, J)

Ranjeet/-

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