

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.271 of 2026

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Indrajit Saxena son of Late Anup Ram, Resident of Shishmahal Apartment,
Block-B, Flat No. 4B, Near Bahadurpur Gumti, P.S.-Bahadurpur, District-
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Bihar, Patna.
2. The Principal Secretary, General Administration Department, Bihar, Patna.
3. The Principal Secretary, Department of Finance, Bihar, Patna.
4. The Additional Secretary, (Management), Water Resources Department, Bihar, Patna.
5. The Joint Secretary, (Management), Water Resources Department, Bihar, Patna.
6. The Deputy Secretary, Water Resources Department, Bihar, Patna.
7. The Engineer-in-Chief, Water Resources Department, Bihar, Patna.
8. The Secretary, Bihar Public Service Commission, Bailey Road, Patna.
9. The Accountant General (A and E), Bihar, Patna.
10. Sri Ram Pukar Ranjan, the Chief Engineer, Water Resources Department, Bihar, Patna through the Principal Secretary, Water Resources, Bihar, Patna.
11. Sri Rajesh Kumar, the Chief Engineer, Water Resources Department, Bihar, Patna through the Principal Secretary, Water Resources, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Indu Bhushan, Adv.
For the Respondent/s	:	A.C to G.A.-08
For the BPSC	:	Mr. Sanjay Pandey, Adv.
		Mr. Nishant Kumar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioner and

learned counsel appearing for the respondent-State.

2. The petitioner has preferred this writ



application seeking direction upon the respondents authorities to grant him promotion to the post of Chief Engineer in light of the order dated 19.05.2021 passed in C.W.J.C. No. 9537 of 2016 as contained in Annexure-P/16 to the writ application, whereby and whereunder the penalty imposed upon the petitioner vide letter No. 1385 dated 19.09.2014 has been quashed and set aside.

3. Learned counsel for the petitioner submits that while the petitioner was posted as independent current charge of Chief Engineer, Water Resources Department, Samastipur, he was served with a communication as contained in memo No. 5060 dated 10.10.2014 whereby the services of the petitioner has been transferred and remitted back to the post of Superintending Engineer, Kosi Kada Anchal, Saharsa from the independent current charge of Chief Engineer on the ground of imposition of penalty upon the petitioner vide letter No. 1385 dated 19.09.2024, which according to the petitioner, has been quashed and set aside vide order dated 19.05.2021 passed in C.W.J.C. No. 9537 of 2016. Further, in light of the aforesaid order, the petitioner made representation vide Annexure-P/18 before the concerned authority to grant him promotion on the post of



Chief Engineer and also to pay the salary of the Chief Engineer, but the same could not yield fruit for the petitioner as yet and the juniors to the petitioner has been granted the benefits of promotion.

4. Per contra, learned counsel for the respondent submits that admittedly vide order dated 19.05.2021 passed in C.W.J.C. No. 9537 of 2016, the penalty imposed upon the petitioner has been quashed and set aside and the same has attained its finality vide order dated 30.10.2025 passed in L.P.A. No. 540 of 2021. He further submits that if the petitioner represents afresh before the competent authority with respect to his claim as claimed in this writ application, the same would be taken into consideration and disposed of in accordance with law within a reasonable time.

5. Taking into consideration the submission put-forth by the learned counsel for the petitioner and taking into consideration the fact that the representation with respect to claim of the petitioner is pending consideration before the respondent authority as yet, this Court deems it fit and proper to dispose of this writ petition at this stage itself directing the petitioner to file a fresh representation, raising all the grounds as raised in this writ application with



all supporting documents with respect to his claim, annexing all the representation filed earlier, which is at P/18 to the writ application, within a period of two weeks from today. Upon such representation is filed, the concerned respondent shall consider the representation of the petitioner and decide it by passing a reasoned and speaking order, in accordance with law, preferably within a period of 45 days from the date of receipt of a copy of the order of this Court, which shall be communicated to the petitioner forthwith.

7. Accordingly, with the aforesaid observation and direction, the writ petition stands disposed of.

(Praveen Kumar, J)

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