

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17774 of 2011

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1. Md. Abdullah S/O Late Md. Shahrum Resident Of Mohalla-Jangalia, P.S.-Gopalganj Town, District-Gopalganj.
 2. Binod Kumar Srivastava S/O Late Shyamsundar Prasad Adhivakta Nagar, P.S.-Gopalganj Town, District-Gopalganj.
 3. Kavindra Nath Singh S/O Late Gaoutam Singh Resident Of Near Banjari More, Ward No.1, Sareya, P.S.-Gopalganj, District-Gopalganj.
 4. Ravi Kumar Verma S/O Sri Vinay Kumar Prasad Permanent Resident Of Village-Mudera, P.O.-Aghaulla, P.S.-Pachrukhi, District-Siwan, At Present Chota Kachari, Hathua, Behind State Bank Of India, P.S.-Mirganj, District-Gopalganj.
 5. Vijay Kumar Prasad S/O Late Chathu Lal Prasad Permanent Resident Of Village + P.O.-Papaur, Via Paghrukhi, P.S.-Pachrukhi, District-Siwan, At Present Resident Of Mirganj, P.S.-Mirganj, District-Gopalganj.
 6. Md. Ayub S/O Late Jumrati Resident Of Mohalla-Jangalia, P.S.-Gopalganj Town, District-Gopalganj.
 7. Rajan Kumar Verma S/O Sri Chandrika Prasad At Present Resident Of Village-Bhojpurwa, P.S.-Manjhagarh, District-Gopalganj.
 8. Ashok Pandey S/O Sri Vishwanath Pandey Resident Of Village-Rai Puara, P.S.-Kateya, District-Gopalganj.
 9. Alok Kumar Singh S/O Sri Jaiprakash Singh Permanent Resident Of Village + P.O.-Pachlakhi, Via-Hathua, P.S.-Mirganj, District-Gopalganj.
 10. Sachchdanand Shukla S/O Late Ramnagina Shukla Resident Of Village-Sahaladpur, P.O.-Kolhua, P.S.-Manjhagarh, District-Gopalganj.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. The Secretary-Cum-Inspector General, Registration, Department Of Registration, Government Of Bihar, Patna.
3. The Collector (Licensing Authority Under Stamps Act), Gopalganj.
4. The Treasury Officer, Gopalganj, District-Gopalganj.
5. The High Court Of Judicature At Patna Through Registrar General, Patna High Court, Patna.
6. The Registrar General, Patna High Court, Patna.
7. The District & Session Judge, Gopalganj, Civil Court, Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satish Chandra Mishra
For the High Court		Mr. Satyabir Bharti
For the State		Mr. Sushant Praveer AC to SC 27

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 29-09-2015 Heard both sides.



The petitioners hold licence(s) to vend the court's fee stamps. The licence(s) granted to them was/were used to be renewed from time to time. The State Government under a policy decided to vend the court's fee stamps through the franking machines. Obviously, the petitioners' licence(s) to vend the court's fee stamps ceased to have effect. It has been submitted that they became jobless. The State Government should formulate a scheme or make a provision for rehabilitation of such court's fee stamp vendors so that they may earn their livelihood. In these factual background, the writ petition has been filed seeking a direction upon the respondents to give permission to run franking machines in the premises of the civil court and/or allot space which may provide them to eke out their livelihood.

Indisputably, the petitioners earlier held licence(s) which could have been revoked/cancelled any time. The State Government has now decided to vend the court's fee stamps through the franking machines. The job has been assigned to one of the departments of the government. No vested legal right of the petitioner as such has been violated. If that be so, the writ petition filed on their behalf for such direction would not survive.

Mr. Mishra counsel for the petitioners has submitted that

the petitioners shall move the government in appropriate department for consideration of their case with regard to their rehabilitation and earning a livelihood.

In my view, no direction can be issued to the State Government for formulation of any scheme or provision for rehabilitation of such erstwhile court's fee stamps vendors. However, this Court would grant the petitioners the said liberty for consideration of the matter by the appropriate authority of the government in accordance with law.

The writ petition is dismissed but with said liberty.

(Kishore Kumar Mandal, J)

HR/-

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