

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17055 of 2014

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Mahendra Prasad				Petitioner
	Versus			
The State of Bihar & Ors				Respondents

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Appearance :

For the Petitioner : Mr. Krishna Ballabha Sharma, Advocate
Mr. Shrawan Kumar Singh, Advocate
For the Respondent Nos.1-3: Mr. Ashok Kumar Keshri, AAG-11
For the Respondent Nos.4&5: Ms. Alka Verma, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 08-09-2015 Heard Mr. Krishna Ballabh Sharma, learned Counsel, appearing for the petitioner, and Mr. Ashok Kumar Keshri, learned Additional Advocate General No.11, appearing for the respondent Nos. 1 to 3. We have also heard Ms. Alka Verma, learned Counsel, appearing for the Respondent Nos. 4 and 5.

Petitioner is, admittedly, a dismissed employee of the Bihar Bhudan Yagna Committee constituted under the Bihar Bhudan Yagna Act, 1954. Following is the relief sought for by him in the present application, made under Article 226 of the Constitution of India, in the form of Public Interest Litigation:

“For implementation of the decision taken by Acharya Binova Bhave at Pawanar Ashram on 01.10.1976 at an



Extra Ordinary special Meeting with the Government of Bihar represented by Late Ram Jaipal Singh Yadav, the then Revenue Minister of the Government of Bihar, relating to the exercise of the Bihar Bhudan Yagnya Committee, to the effect that – “The remaining undistributed land (land of Bihar Bhudan Yagnya Committee) would now be distributed by the Government and the services of salary paid employees (employees of Bihar Bhudan Yagnya Committee) would be absorbed in the Bihar Government Service.” Accordingly the aforesaid decision and resolution of Binova Bhave with Government of Bihar be implemented with retrospective effect from the year 1977, as was decided in that meeting.”

Reference has been made to Annexure-1 to the writ application, which the petitioner, in effect, wants this Court to implement by issuance of an order.

We have perused Annexure-1, which appears to be a copy of some periodical/book/magazine, namely, “*Binova-Sannidhi*”, containing certain discussions between Binova Bhave and the then Revenue Minister of the State of Bihar. In our considered view, this application is wholly misconceived as no direction can be issued on the basis of Annexure.

It is, however, made clear that this order will not

preclude any person from taking recourse to law in order to seek implementation of the provisions of the Bihar Bhudan Yagna Act, 1954.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

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