

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20313 of 2010

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1. Prayag Dev Srivastava S/O Late Mathura Prasas R/O Village -
 Hasanpurba, P.O. - Basgaht, P.S.- Chakiya, District - East Champaran

.... Petitioner/s

Versus

1. The Union Of India Through Under Secretary, Null Government Of India, New Delhi, Ministry Of Personnel And Public Grievance And Pension (Personnel And Training Department)
2. The State Of Bihar Through Chief Secretary Govt. Of Bihar, Old Secretariat, Patna
3. The Director, Horticulture Bihar, Null Old Secretariat, Patna
4. The Director, Agriculture Bihar New Secretariat, Patna
5. The State Advisory Committee, Bihar, Patna
6. The Deputy Secretariat, Department Of Home (Special), Govt. Of Bihar, Patna
7. The District Horticulture Officer, Combined Building, Muzaffarpur
8. The State Of Jharkhand Through Chief Secretariat, Govt. Of Jharkhand, Ranchi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra
 For the State : Md. Obaidullah, AC to SC 4
 For the Union Of India : Mr. Anjani Kumar Sharan, CGC

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 20-03-2015 The petitioner seeks quashing of the order dated 22.11.2010 issued under the signature of Director, Horticulture, Bihar, Patna whereby he has been transferred to the State of Jharkhand from the State of Bihar.

The writ petition was allowed by order dated 31.1.2011. Being aggrieved, the State of Bihar went in appeal bearing L.P.A. No.850 of 2011 which set aside the order dated 31.1.2011 of the learned Single Judge and remitted the matter for fresh

consideration.

Being aggrieved, the petitioner moved the Hon'ble Apex Court against the order of the Appellate Court.

In the meanwhile, the petitioner superannuated from service. The Director, Horticulture, Bihar, Patna issued Office Order No.18, dated 3.5.2012 stating therein that the petitioner is being treated as an employee of State of Bihar. The petitioner does not deny that he is getting pensionary benefits from the State of Bihar.

In view of aforesaid order dated 3.5.2012 issued by the Director, Horticulture, Bihar, Patna, treating the petitioner as an employee of the State of Bihar and is also getting pensionary benefits from it, this writ application has become infructuous and it is dismissed as such.

(Samarendra Pratap Singh, J)

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