

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2155 of 2014

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1. Gopal Prasad Son Of Late Moti Lall Resident Of Mohalla - Choti Bazar, Moghulpura, P.S. - Khojekala, District - Patna
2. Manavendra Prasad Yadav Son Of Shri Jitendra Prasad Yadav Resident Of Mohalla - Vishunpur Parkri, P.S. - Beur, District - Patna
3. Chanarik Baitha Son Of Late Sukhlal Baitha Resident Of Shipara East, P.S. - Beur, District - Patna

.... Petitioners

Versus

1. The State Of Bihar , Through The Chief Secretary, Main Secretariat, Patna
2. The Principal Secretary, Department Of Social Welfare, Government Of Bihar, Patna
3. The Joint Secretary, Social Welfare Department Government Of Bihar, Patna
4. The Director, Integrated Child Development Scheme, Indira Bhawan, 2nd Floor, Boring Canal Road, Patna
5. The Commissioner And Secretary Department Of Finance, Government Of Bihar, Main Secretariat, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur

For the Respondent/s : Mr. Dhurjati Kr Prasad

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

6 04-02-2015 Heard learned counsel for the parties.

Mr. Kishore Kumar Thakur, learned counsel for the petitioners, at the outset seeks permission to withdraw the writ application of petitioner no.3 stating that in fact he has already filed an earlier writ application and the order being in his favour when the matter was agitated in appeal in L.P.A.No. 634/2012, that appeal has also been decided in favour of petitioner no.3.

That being so, the writ application of petitioner no.3 is permitted to be withdrawn as he already has got the relief in the

connected writ application.

Reverting to the cases of petitioners no. 1 and 2 this Court would find that the only explanation of the respondents in their counter affidavit was that L.P.A.No. 634/2012 was pending at the instance of the State and therefore, the petitioners will not be entitled for their absorption in the services of the State Government till the decision of L.P.A.No. 634/2012.

Now the judgment of L.P.A.No. 634/2012 has been placed on record which shows that the appeal of the State has been dismissed by a reasoned order on 22.9.2014.

In view of above, this Court having regard to the stand taken by the respondents in the counter affidavit itself would direct for absorption of petitioners no. 1 and 2 in the same manner in which others including respondents of L.P.A.No. 634/2012 has been sought to be absorbed.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

surendra/-

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