

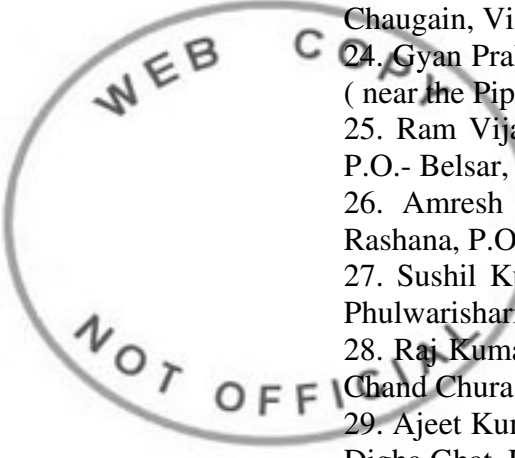
IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1034 of 2014

IN

Civil Writ Jurisdiction Case No. 7767 of 2013

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1. Md. Hasin Akhtar son of Md. Jawaid Akhtar resident of Village- Jamaluddin Chak, P.O. and P.S.- Khagaul, District- Patna, PIN Code- 801105
 2. Smt. Asha Kumari Wife of Pankaj Kumar Sinha resident of Village- Bijay Bigha, Barki Delha, P.O.- Gaya, P.S.- Delha, District- Gaya, Pin Code- 823002.
 3. Jitendra Kumar Son of Sri Shivrath Sharma Village- Tangaul (Mazar Road), P.O.- Hajipur, District- Vaishali, Pin Code- 844101.
 4. Chandra Shekhar Prasad Verma Son of Sri Rajendra Verma Village- Kaushal Nagar, Off Poli Road, Quarter No. 52, P.O.- GPO, P.S.- Hawaii Adda, District- Patna, Pin Code-800001.
 5. Vijay Kumar Son of Sri Ghanshyam Prasad Sharma Village- Booknaw, P.O and P.S.- Sanjhauli, District- Rohtas Pin Code- 802220.
 6. Rakesh Ranjan Kumar Son of Sri Bishwanath Singh resident of Village- Govindbara, P.O and P.S.- Phenhara, District- East Champaran, Pin Code- 845430
 7. Rupesh Kumar Son of Sri Chandreshwar Parasad Singh resident of Village and P.O. Kolhua, Paigambarpur, P.S.- Ahiyapur, District- Muzaffarpur, Pin code- 843108
 8. Ramesh Kumar Son of Sri Dudheshwar Vishwakarma Resident of Anandpuri No.1 (Near Shiv Mandir), P.O.-Hehal, District Ranchi State of Jharkhand.
 9. Md. Minhaj Son of Md. Anisur Rahman Ansari Resident of At- Moghlakhar, P.O and P.S. Nawad, District- Nawada, Pin Code 805110.
 10. Sanjay Kumar Son of Shree Ram Lagan Roy resident of Village Rikhauli, P.O Paktala, Via Dumra, District Sitamarhi, Pin Code- 843301.
 11. Pramod Kumar Son of Late Balkeshwar Prasad resident of Village- Bharthu Chiri, P.O. Bhathu, District- Jehanabad, Pin Code- 804432.
 12. Santosh Kumar Verma Son of Late Shyam Sunder Prasad Srivastava resident of Village- Madhuban Raghunathpur, P.O. Silout, P.S. Maniyari, District- Muzaffarpur, Pin Code- 843119
 13. Nitesh Kumar Son of Chandrika Ravidas Village and P.O.- Barni, P.S.- Dhanarua, District- Patna, PIN Code- 804452.
 14. Deonarain Paswan Son of Bhimal Paswan Resident of Village Musnaper, P.O.- Kansari, District- Patna, PIN Code- 804451
 15. Anil Kumar Son of Rajaram Sah resident of P.O- Kaledewa, P.S. Phulwaria, District- Gopalganj, Pin Code- 841452.
 16. Anil Kumar Sinha son of Late Ramcharitra Sinha resident of Village- Sonawan, P.O.- Chandhari, P.S.- Islampur, District- Nalanda Pin code- 801303
 17. Sujit Kumar Son of Sri Rajendra Ray resident of Village- Dharampur, P.O.- Parsauni, P.S- Dumra, District- Sitamarhi, Pin Code- 843301
 18. Dinesh Kumar Vidyarthi son of Sri Lakshman Manjhi resident of Village- Malkha Chak, P.O and P.S.- Dighwara, District- Saran (Chappra), Pin Code- 841207.
 19. Sujeet Kumar Son of Ramphal Sah resident of At and P.O.- Mahanth Maniyari, Tola- Bishunpur, District- Muzaffarpur, Pin Code- 843147.
 20. Sunil Choudhree Son of Sri Chotelal Choudhree resident of Village Bin, P.O and P.S. Bind, District- Nalanda, Pin Code- 811108.
 21. Akhilesh Kumar Son of Sri Basudeo Ram resident of Village- Dhanrue, P.O and P.S. Dhanrue, District- Patna, Pin Code- 804451

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22. Arya Kumar Son of Sri Ramanuj Sharma resident of Village- Gokhulla, P.O.- Bara, District- Patna, Pin Code- 804454.
 23. Prabhat Ranjan Son of Satyendra Thakur resident of Village- Kajra Tand, P.O.- Chaugain, Via- Bankey Bazar, District- Gaya, Pin code- 824217.
 24. Gyan Prakash Sharma Son of Deo Nandan Sharma resident of village- Kajipur (near the Pipal Tree), P.O- Bankipur, District- Patna, Pin Code- 800004.
 25. Ram Vijay Vishwakarma Son of Bunesh Mistry resident of Village- Belsar, P.O.- Belsar, District- Arwal, Pin Code- 824127.
 26. Amresh Kumar Amar Son of Ganga Mahto resident of Village- Husena Rashana, P.O.- Baluka Ram, District- Vaishali, Pin Code 844113.
 27. Sushil Kumar son of Late Arjun Mistry resident of Village- Rashtriya Ganj, Phulwarisharif, P.O and P.S.- Phulwarisharif, District- Patna, Pin Code- 801505.
 28. Raj Kumar Son of Laxmi Narayan Yadav resident of Village- Maranpur, P.O.- Chand Chura, P.S.- Civil Line, District- Gaya, Pin Code- 823001.
 29. Ajeet Kumar Son of Bakhori Prasad Singh resident of 51/12, Fair Field Colony, Digha Ghat, District- Patna, Pin Code- 800011.
 30. Md. Salamullah Son of Md. Bismillah Resident of At- Takiyapar, Nariyal Ghat, Dhanapur, (Opposite Post Office Line), P.O. Digha, District- Patna, Pin Code- 800012
 31. Satish Kumar Son of Late Yaduvansh Prasad Singh C/o Sri Phul Babu Singh, Mohalla- Kailashpuri, Ward No. 09, P.O.- Dumra Court, P.S.- Dumra, District- Sitamarhi, Pin Code- 843301.
 32. Rajiv Kumar Pandit Son of Sri Parmeshwar Pandit resident of Mohalla- Molaganj, P.O.- Lalbagh, District- Darbhanga, Pin Code- 846004.
 33. Sanatan Kumar Son of Sri Rameshwar Das resident of Village- Phulwariya, P.O Danauli Phulwariya, District- Begusarai, Pin Code- 851211.
 34. Anil Kumar Chourasia Son of Sri Ramvir Bhagat resident of Village and P.O.- Sanahpar, Via- Ratanpur, District- Darbhanga, Pin Code- 84307.
 35. Sanjay Ram Son of Sri Naresh Ram resident of Village- Human Nagar, P.O.- Belahi, P.S.- Runnisaidpur, District- Sitamarhi, Pin Code- 843311.
 36. Shambhu Kumar Pandit Son of Sri Ghanshyam Pandit resident of Village- Makdampur, P.O.- Itahri, P.S- Salkhua, Via- Salkhua, District- Saharsa, Pin Code- 852126.
 37. Reema Kumari daughter of Raju Prasad Sukl Baidya resident of Mohalla Ambedkar Nagar, Khajasarai, P.O- Laheriasarai, District- Darbhanga, Pin Code- 846001.
 38. Manoranjan Pathak Son of Sri Devendra Pathak resident of Village and P.O.- Asinchak, Via- Dalsingsarai, District- Samastipur, Pin Code- 848114.
 39. Nitish Kumar Son of Sri Bharat Prasad Sah resident of At and P.O. Itwa, Via- Dharhara, District- Munger, Pin Code- 811212.
 40. Manoj Kumar Son of Late Ram Krishna resident of village- Darma, P.O.- Chandradeep, P.S.- Kawalkol, District- Nawadah, Pin Code- 805124.
 41. Jitendra Kumar Son of Sri Naval Kishore Prasad resident of At and P.O.- Bara Khurd, Via- Neorsarai, District- Nalanda, Pin Code- 803113.
 42. Abhishek Kumar Son of Amit Kumar Resident of Village Babhanbigha, P.O.- Barbigha, District- Sheikhpura, Pin Code- 811101.
 43. Amar Kumar Son of Late Ranjan Kumar resident of Mohalla- Jawaripur (South of Cold Storage), P.O. Tilmamanjhi, District- Bhagalpur, Pin Code- 812001.
 44. Rajiv Ranjan Son of Sri Ram Briksh Choudhary resident of Mohalla Khajoorbanna, nanmuhyian, P.O.-Mahendru, P.S- Sultanganj, District- Patna, Pin Code- 800006.
 45. Pravin Kumar Son of Sri Anil Kumar Ray resident of At and PO Piri Bazar,

District- Lakhisarai, Pin Code- 811112.

46. Dineshwar Singh Son of Late Gopi Singh resident of At Back of Poision, (Niraia Nagar), Digha Ghat, District- Patna, Pin Code- 800011.

47. Jitendra Kumar Singh Son of Sri Kamta Rai resident of At- Digha Palson road, Opposite Ankur School, PO- Digha Ghat, P.S- Digha, District Patna, Pin Code- 800011.

48. Jitendra Safi Son of Sri Biltu Safi resident of Village- Birpur, PO- Malahi, P.S- Sursand, District- Sitamarhi, Pin Code- 843331.

49. Abhay Kumar Son of Sri Prakash Pandit resident of Mohalla- Amarpur, PO- Patna City, P.S.- Mehdiganj, District- Patna, Pin Code- 800008.

50. Subodh Kumar Son of Sri Bideshi Prasad Yadav resident of Village- Baburahi, PO- Shaligram, District- Begusarai, Pin Code- 851217.

51. Amresh Kumar Son of Sri Jagnnath Ram Resident of Village- Madhopur Anant, PO- Khairwadarp, District- Sheohar, Pin Code- 843329

52. Shashi Bhushan Ram Son of Sri Ram Chandra Ram resident of Village and PO- Sugiya, PS and District Sheohar, Pin Code- 843329

53. Aarti Kumari daughter of Surendra Prasad Singh Surendra Nursery, Aamgola Pankhatoli, PO- Ramna, P.S.- Kaji Mohammadpur, District- Muzaffarpur, Pin Code- 842001.

54. Sujeet Kumar Son os Sri Gagandeo Sah resident of Village- Koeli Bharao, PO- Tengaraha, PS- Minapur, District- Muzaffarpur, Pin Code- 843117.

55. Om Prakash Sharma Son of Late Shiv Shankar Sharma resident of Village and PO- Bhagwatpur, P.S.- Taraiya, District- Chapra (Saran), Pin Code- 841424.

56. Salim Ahmed Son of Masihuzzaman resident of Village- Bahurupiya, Ward No. 4, PO and PS- Sugauli, District- East Champaran, Pin Code- 845456

57. Rajeev Ranjan Son of Shankar Choudhary resident of At- Bharat Rout, PO- Hajipur, District- Vaishali, Pin Code- 844101.

58. Vidya Nandan Prasad Son of Late Chotu Prasad resident of Village- Nally, PO- Chand Chura, PS- Magadh Medical College, District- Gaya Pin Code- 823001.

59. Ranjay Singh Son of Sri Sudarshan Singh resident of Village Bagnaha, PO- Deomar Kandey, PS- Karakat (Godari), District- Rohtas, Pin Code- 802214.

60. Surendra Kumar Singh Son of Late Ram Ashish Singh resident of Village- Bhunder Bigha, PO- Ramdihra, PS- Amjhor, District- Rohtas, Pin Code- 821312.

61. Vinod Paswan Son of Sri Sadhu Paswan resident of Village and PO- Kako, Prakhand, Kako, District- Jehanabad.

62. Anant Kumar Son of Sri Rasbihari Singh resident of Village- Niranjan Bigha (Karamchari Colony), PO- Mankipur, Via- Dalsianagar, PS- Dihri, District- Rohtas, Pin Code- 821305.

63. Daya Sagar Shankar Son of Sri Chan Ram resident of Village- Chanda, PO- Jamalpur (Pateri), PS- Chand, District- Kaimur (Bhabhua), Pin Code- 821106.

64. Ganesh Kumar son of Sri Kanhai Ram Resident of Village- Kunjwa, PO- Kunjwa, PS-Bhta, District- Patna, Pin Code- 801103.

65. Avinash Kumar Verma Son of Sri Mathura Prasad Resident of Village- Bahadurpur, PO- Rupas, PS- Athmalgola, District- Patna Pin Code- 803211.

66. Abhishek Ranjan Son of Sri Vijay Kumar Sinha resident of village- Ram Nagar, Bengali Tola, Devia Asthan, PO- GPO, PS Jakkanpur, District- Patna Pin Code- 800001.

67. Hemlata Kumari Wife of Sanjay Kumar Gupta resident of Gupta Vastralaya, Station Road, Nadia Tola, Kahalgaon, Ward No. 10, PO and PS- Kahalgaon, District- Bhagalpur, Pin Code- 813203.

68. Valmiki Kumar Son of Late Barho Das resident of Village- Bhagat Chouki, PO- Nagarhari, District- Mungyer, Pin Code- 811211.

69. Dipak Sharma Son of Sri Nakuldeo Sharma resident of Village and PO- Dharhara, District- Munger, Pin Code- 811212.
70. Niranjana Kumar Son of Sri Bijoy Krishna Pandit resident of Village and PO- Mahadeopur (Pandit Tola), PS- Amarapur, District- Banka, Pin Code 813101.
71. Anil Kumar Son of Sri Ramdeo Das Resident of Village- Bakhadda, PO- Chhaurahi, via- Meghaul, PS- Chhaurahi, District- Begusarai, Pin Code 848202.
72. Khushbu Kumari daughter of Sri Gurusharan Das resident of Village Bhagwanpur, Hardo gola, Rewa Road, District- Muzaffarpur, Pin Code- 842001.
73. Umesh Prasad Son of Sri Basant Prasad resident of Village- Sakunt Kalan, PO- Biharsharif, District- Nalanda, Pin Code 803101.
74. Indrajeet Kumar son of Sri Babula Thakur resident of Village and PO- Kursaha, Via- Mohiuddin Nagar, District- Samastipur, Pin Code- 848501.
75. Mahesh Kumar Son of Sgt. J.P Gupta resident of Village- Ambika Bhawan, Taringa Chowk, Ward No. 15, Gangjala, District- Saharsa.
76. Rajesh Kumar Son of Sri Ramjee Rai resident of village and PO Nirmali, Ward No.2, District- Supaul, Pin Code- 847452.
77. Md. Safik Son of Md. Rauf resident of Village- Nagarpura, PO Barkasihanpura, District- Buxar, Pin Code- 802120.
78. Md. Hasre Alam Son of Md. Nizamuddin resident of Village- Karim Nagar, PO- Mohiuddin Nagar, District- Samastipur
79. Ravi Bhushan Son of Sri Upendra Prasad Yadav resident of At and PO- Ajagaiva, PS- Sour Bazar, District Saharsa, Pin Code- 852221.
80. Narayan Choudhary Son of Sri Rupchand Choudhary resident of At Hakpara, PO- Nandlali, Via- Panchgachia, District- Saharsa, Pin Code- 852124.
81. Arun Kumar Pathak Son of Sri Shashi Kant Pathak resident of At and PO- Papraur, District- Begusarai, Pin Code- 851210.
82. Deepak Kumar Son of Nagendra Mahto resident of Bypass Road, near Sanjay Kisan Petrol Pump, Ward No. 9, At and PO- Birpur, District- Supaul, Pin Code- 854340.
83. Rekha Kumari Wife of Nandkishore Mandal C/o Deokinandan Singh, New Shastri Nagar, Ward No. 3, Madhubani, District- Purnea, Pin Code- 854301.
84. Dharmendra Kumar Ram Son of Sri Srichandra Ram resident of At- Bikrampur, PO- Sarangpur, P.S.- Tajpur, District- Samastipur, Pin Code- 848505.
85. Sanjay Kumar Son of Sri Harishchandra Mahto resident of Village- Dudha Paniya, PS- Kawakol, District- Nawadah, Pin Code 805106.
86. Amardeep Kumar Son of Sri Ganesh Modi resident of Mohalla- Shiv Puri, Pokharia, Behind Mandal Kara, PO and PS Begusarai, District Begusarai, Pin Code- 851101.
87. Rajesh Kumar Son of Basudeo Ram Resident of Village and PO- Dhanarua, PS- Dhanarua, District- Patna, Pin Code- 804451.
88. Ajay Kumar Ram Son of Sri Judagir Ram resident of Village- Kajpa, PO- Jakhnim, PS- Rafiganj, District- Aurangabad, Pin Code- 824122.
89. Sushil Kumar Sharma Son of Sri Raghuwansh Prasad Sharma resident of village- Sermari Bazar, PO- Pirpanti, District- Bhagalpur.
90. Md. All Asgar Ansari Son of Md. Kasimuddin Ansari resident of Via- Shalimar General Store, Attaur Rahman, Main Road, Alamganj, Patna Pin Code- 800007.
91. Dharmendra Kumar Son of Kapildeo Prasad Resident of Village- Siyarbhatta, P.O- Chakand (R.S.), PS- Chandauli, District- Gaya, Pin Code- 804404.
92. Vinod Kumar Son of Sri Ram Prasad resident of Village- Uttri Sanghat (Kumhar Toli), PO and PS Phulwarisharif, District- Patna Pin Code 801505.
93. Niket Anand Son of Sri Ghanshyam Singh C/o Smt. Baruna Kumari, Government of Polytechnic Office, Saharsa, Pin Code- 852201.

94. Ajay Kumar Son of Late Naresh Prasad Resident of Village- Pakri Sarai, PO Ghogha, PS- Kahelgaon, District- Bhagalpur, Pin Code- 813205.
95. Rahul Kumar Son of Sri Satyanarayan Mahto resident of At- Kali Asthan Chowk Behind Ply Mills, PO- Madhubani, District- Purnea, Pin Code- 854301.
96. Shekhar Prasad Singh Son of Sri Dwarika Singh Resident of Village- Pandh (West), P.O.- Chakbahuddin, Via- Dalsingsarai, District- Samastipur, Pin Code- 848114.
97. Sanjeev Kumar Son of Sri Ramawtar Thakur resident of Village- Bishunpur Chatrbhuj, PO- Begusarai, P.S.- Mufassil, District- Begusarai, Pin Code- 851101.
98. Vijay Kumar Son of Late Naresh Prasad resident of At- Pakki Sarai, PO- Ghogha, P.S.- Kahelgaon, District- Bhagalpur, Pin Code- 813205
99. Barun Thakur Son of Sri Jitan Thakur resident of At and PO- Rakia, Via- Garh Baruari, PS- Bihra, District- Saharsa, Pin Code- 852110.
100. Ramesh Kumar Son of Sri Naresh Choudhary resident of Digha behind poision, Nirala Nagar, PO and PS- Digha Ghat, District- Patna, Pin Code- 800011.
101. Manoj Kumar Singh Son of Sri Batukeshwar Singh resident of At- Madan Bigha, PO- Pirthu, P.S.- Salaiya, (Madanpur), District- Aurangabad, Pin Code- 824208
102. Sanjay Kumar Sah Son of Sri Sita Ram Sah resident of At- Bariyahi, PO- Simariya Ghat, P.S- Barauni, Via- Gadghara, District- Begusarai, Pin Code- 851126
103. Rakesh Kumar Roshan Son of Sri Yadunandan Prasad Singh resident of village- Sanha Naya Tola, PO- Bakra, P.S.- Sahebpur Kamal, District- Begusarai, Pin Code- 841717.
104. Sanjit Kumar Son of Sri Hari Narayan Prasad resident of Village and PO- Barni, P.S- Dhanarua, District- Patna, Pin Code- 804452.
105. Ramjee Ram Son of Sri Mahedra Ram resident of village- Teldiha, PO- Kara, Via- Obra, District- Aurangabad, Pin Code- 824124.
106. Sandeep Kumar Son of Sri Suresh Prasad Sharma resident of village- Purani Ganj, P.O- Mungyer, District- Mungyer, PIn Code- 811201.
107. Arvind Kumar Son of Sri Rajbali Ranjan resident of Village and PO- Jaitpur, PS- Haspura, District- Aurangabad, Pin Code- 824114.
108. Hitesh Kumar Sharma Son of Shachidanand Sharma Resident of Village Badi Keshopur, PO- Jamalpur, District- Mungyer, Pin Code- 811214.
109. Sanjay Kumar Pandey Son of Late Niras Pandey resident of Village- Sivaisinghpur, PO- Malahi Patti, Bahadurpur, District- Darbhanga, Pin Code- 846001.
110. Md. Sanaullah Son of Md. Musa resident of Village- Sikorna, PO- Jahnwan, Via- Salamari, PS- Kadwa, District- Katihar, Pin Code- 855113.
111. Vikash Safi Son of Late Ganesh Safi resident of village- Maidan Sursand, PO- Sursand, District- Sitamarhi, Pin Code- 843331.
112. Arun Kumar Son of sri Ugesh Madal resident of Village and Po- Baisa, Via- Mehdiipur, PS- Parbatta, District- Kahagaria, Pin Code- 851212.
113. Subhash Kumar Son of Sri Ramsagar Paswan Resident of Village and PO- Sahuri, PS- Birpur, District- Begusarai, Pin Code- 851112.
114. Sanjiv Kumar Singh Son of Chote Lal Singh Resident of At- Chapparghat, PO- Latra, Via- Naugachia, District- Bhagalpur, Pin Code- 853204.
115. Pawan Kumar Himanshu Son of Sri Niranjana Singh Resident of At and PO- Sanokhar Hat, Via- Ekchari, District- Bhagalpur, Pin Code- 813204.
116. Ranjeet Kumar Son of Sri Bindeshwari Prasad Yadav resident of Quarter No. EF/ 369, PO-BTPS, District- Begusarai, Pin Code- 851116.
117. Sushil Kumar Son of Sri Arjun Pandit resident of National Highway Office, PO- Mirzapur Bandhar, District- Begusarai Pin Code- 851129.

118. Abodh Kumar Son of Late Laxmi Sharma resident of Village- Matadih, PO- Jamalpur, PS- Dharhara, District- Mungyer, Pin Code- 811214.
119. Ajay Harijan Son of Late Suryanarayan Harijan resident of Village- Pipradih, PO- Morama, District- Banka, Pin Code- 813107.
120. Subodh Kumar Jain Son of Late Natuhi Mahto resident of Village and PO- Jitwarpur Chouth, District- Samastipur, Pin Code- 848134.
121. Uma Shankar Prasad Son of Late Maheshwar Prasad Sah resident of Village- Chandauli, PO-Bithan, District- Samastipur, Pin Code- 848207.
122. Raj Ranjan Kumar Son of Sri Mahdeo Prasad Sah resident of Village and PO Masumganj, PS- Asarganj, Via- Sultanganj, District- Mungyer, Pin Code- 813213
123. Sanjay Kumar Son of Sri Kapileshwar Yadav resident of Village Piprahari, PO- Pipra Khurd, Via and District Supaul, Pin Code- 852131.
124. Indarkant Kavi Son of Uday Chand Yadav Resident of Village and PO- Rajni, Via- Bihariganj, District- Madhepura, Pin Code- 852101.
125. Manoj Kumar Son of Sri Raghunandan Mahto Resident of Village and PO Adhsar, District- Jamui, Pin Code- 811307.
126. Deepak Kumar Son of Sri Ram Sakai Prasad Resident of Village and PO Bichhway, PS- Chanan (Mananpur), District- Lakhisarai, Pin Code- 811310
127. Md. Jamal Uddin Son of Md. Mokkin resident of At- Sunderpur, PO- Bahachowki, District- Mungyer, Pin Code- 811202.
128. Dhanjay Kumar Son of Sri Jagdish Prasad Resident of village- Kankaithi, PO- Simaria, District- Bhagalpur, Pin Code- 813129
129. Bipin Kumar Singh Son of Sri Anandi Prasad Singh resident of Village- Dashrathpur, PO- Pawapuri, District- Nalanda, Pin Code- 803115.
130. Bipin Kumar Son of Maleshwari Pandit Resident of Village and PO- Kakan, District- Jamui, Pin Code- 811307.
131. Manoj Kumar Son of Sri Narayan Mandal resident of Village and PO- Bariyarpur, (Basti), District- Mungyer, Pin Code- 811211.
132. Vinay kumar Son of Sri Anandi Prasad Singh resident of Village- Dashrathpur, PO- Pawapuri, District- Nalanda, Pin Code- 803115.
133. Satyendra Prasad Son of Sri Baleshwar Prasad resident of Sector- 12/C, Quarter No. 3034, Bokaro Steel City, State of Jharkhand, Pin Code- 827012.
134. Abhay Kumar Son of Late Uttam Prasad Sah resident of village and PO- Telia, Via- Barahat, District-Banka, Pin Code- 813103.
135. Chaturbhuj Ravidas Son of Late Nandlal Ravidas resident of Village- Srinagar, PO- Jaitpur, Via- Bhothur, District- Nalanda, Pin Code- 801307.
136. Satyendra Nath Jyoti Son of Sri Surendra Das resident of Village- Lakhanpur Lai, PO- Khoksa (Desari), District- Vaishali, Pin Code- 844504.
137. Mukesh Paswan Son of Sri Satyadeo Paswan resident of Village- Bhewor, PO- Sikaria, District- Jehanabad.
138. Pratibha Kumari wife of Sumit Kumar resident of At- Toralpur, PO- Mustapapur Toralpur, District- Lakhisarai, Pin Code- 811106.
139. Manoj Kumar Das Son of Late Puran Harijan resident of At- Pipradih, PO- Morama, District- Banka, Pin Code- 813107.
140. Sikandar Kumar Son of Late Sitaram Yadav resident of At- Sahura, Via- Garh Barauri, PO- Laokana, District- Supaul, Pin Code- 852110
141. Avinash Kumar Son of Sri Birju Thakur resident of Village and PO- Singraha, PS- Sahiara, District- Sitamarhi, Pin Code- 843317.
142. Zahid Hussain Son of Adalat Hussain resident of At- Zila School, Mohalla- Agarwa, PO and PS-Motihari, District- East Champaran, Pin Code- 845401.
143. Suraj Kumar Son of Sri Sitaram Paswan resident of Village- Chaksaid, PO and PS- Rajapkur, District- Vaishali, Pin Code- 844124.

144. Nishant Kumar Son of Late Rambriksha Das resident of A/393, A.G. Colony, Sekhpura, Patna, PO- Ashiana Nagar, District- Patna, Pin Code- 800025.
145. Shivraj Baitha Son of Sri Chitanu Baitha resident of Village and PO- Atahi, Via- Belsand, District- Sitamarhi, Pin Code- 843316.
146. Sanjay Kumar @ Sanjay Kumar Paswan Son of Sri Ram Awatar Paswan resident of Taiyyab Tola, Katihar, District- Katihar.
147. Sima Kumari wife of Ram Prasad Singh resident of At- Power House, Ward No. 9, Forbesganj, District- Araria.
148. Jagannath Kaushal Son of Sri Hari Lal Paswan resident of Village- Daffarpur, PO- Daffarpur, PS Kanothi, Via- Manjhaul, District- Begusarai, Pin Code- 851170.
149. Niraj Kumar Son of Sri Magal Sah resident of Village- Rai Brawa, PO- Dharmpur, PS- Satahi, District- West Champaran, Pin Code- 847402.
150. Parmeshwar Yadav Son of Late Gumasti Yadav resident of at and PO- Matras, PS- Madhepur, Via- Goghardiha, District- Madhubani, Pin Code- 847402.
151. Vikash Kumar Son of Late Ram Janam Ram Resident of Village- Nethupur Road, PO- Kurthol, PS- Parsa Bazar, District- Patna, Pin Code- 804453.
152. Rajesh Kumar Son of Ram Shreth Thakur resident of Village- Jagdishpur, PO- Anant Kamtaul, PS- Kurhani, District- Muzaffarpur, Pin Code- 844120.
153. Upendra Kumar Son of Sri Ramashish Prasad Resident of Aamgola, West of Orient Club, Guha Lane, PO- Ramna, PS- Kazi Mahammadpur, District- Muzaffarpur, Pin Code- 842002.
154. Ajit Gan Son of Late Braj Mohan Sharma resident of Village and PO- Prahladpur, Via- Silaut, PS- Musahari, District- Muzaffarpur, Pin Code- 843119.
155. Sanjeev Kumar Son of Ram Prasad Ram resident of Amghatta Road, Ward No. 5, PO and PS- Dumra, District- Sitamarhi, Pin Code- 843301.
156. Santosh Kumar Son of Laxmi Narayan resident of Khadi bhandar Chowk, Shastri nagar, near Chitragupta Mandir Road, Bharti Niketan School, PS- Mithanpura, PO- Ramna, District- Muzaffarpur, Pin Code- 842002.
157. Anish Ranjan son of Sri Krishna Kumar Singh Resident of At and PO Parsauni, Wazid, Via- Bakerpur Jagat, P.S.- Kalyanpur, District- East Champaran, Pin Code- 845413
158. Rajesh Kumar Prasad Son of Ramjit Sah resident of Village Murar Patti, PO- Keelpur, Via- Sahpur, PS-Nautan, District- Siwan, Pin Code- 841243.
159. Kamlesh Kumar Son of Sri Babban Lal Resident of At and PO- Simri Dudni Patti, PS- Simri, District- Buxar, Pin Code- 802135.
160. Javed Alam Son of Amjad Ali resident of Village and PO- Jawkatia, PS- Majhaulia, District- West Champaran, Pin Code- 845454.
161. Md. Ali Ejaz Ahmed son of Md. Kalimuddin resident of Village- Maqsupur, PO- Asthawan, Via- Barbiga, District- Nalanda, Pin Code- 811101.
162. Binod Kumar Sinha Son of Late Ramudeshwar Singh resident of Village and PO- Chandos, PS- Paliganj, District- Patna, Pin Code- 801110.
163. Arjun Kumar Son of Late Rameshwar Singh resident of Village Gulab Singh Ke English, PO- Fakarpur, PS- Karpi, District- Arwal, Pin Code- 804401.
164. Pankaj Kumar Son of Shyam Sunder Prasad resident of Village Majhar, PO- Paraiya, District- Gaya, Pin Code- 824209
165. Sanjay Kumar Son of Late Vijay Shankar Prasad resident of Babu Bazar, Near Mohan Cinema, PO- Ara, District- Bhojpur, Pin Code- 802301.
166. Subodh Kant Son of Sri Maheswari Prasad Resident of Rajkali Niwas, At- Vidyapuri, P.S.-Hilsa, District- Nalanda, Pin Code 801302.
167. Subodh Kumar Nirala Son of Sri Bulkan Jamadar resident of village- Lohani Bigha, PO- Gonawa, PS- Nawada, District- Nawada, Pin Code- 805110
168. Nagmani Son of Sri Girwal Singh resident of Village Rampur Saroter, PO-

R.Korigaon, PS- Goraul, District- Vaishali, Pin Code- 844114.

169. Laxmi Narayan Son of Lal Bahadur Ram resident of Village and PO- Mahmadpur, Via- Garkha, PS- Garkha, District- Saran (Chapra)

170. Sujeet Kumar Son of Sri Madho Thakur resident of Shantiniketan, RMS Colony, Urdu Bazar, PO- Bhagalpur City, District- Bhagalpur, Pin Code- 812002.

171. Om Prakash Sharma Son of Late Bhagwati Sharma resident of Village- Bhitwaria, PO- Kahrahat, District- Saran, Pin Code- 841222.

172. Dharmendra Prasad Gupta Son of Sri Ram Adhin Sah resident of Village- Jagatpura, PO- Bare, PS- Bhabhua, District- Kaimur.

173. Ram Kumar Choudhary Son of Sri Bhola Choudhary resident of Village- Ramji Chak, PO Bataganj, District- Patna, Pin Code- 800018.

174. Kailash Prasad Son of Sri Ram Awadh Prasad resident of village and PO- Semrawn, District- Gopalganj, Pin Code- 841436.

175. Rajesh Ranjan Son of Sri Gupteshwar Ram resident of Village- Ballgaon, PO- Rajandsh, District- Rohtas, Pin Code- 802219

176. Anuj Kumar Son of Sri Daro Paswan resident of Village- Bandaily Khurd, PO and PS Kowakole, District- Nawada, Pin Code- 805106

177. Binod Kumar Gupta Son of Sri Sukhdeo Prasad Gupta resident of Mohalla- Marnpur, District- Gaya, Pin Code- 823001.

178. Santosh Kumar Sharma Son of Sri Saryu Sharma resident of Village and PO- Beria, PS- Mali, District- Aurangabad

179. Sudhir Kumar Son of Gandhari Pandit resident of Village- Mai, PO- Farida, PS- Rahvi, District- Nalanda

180. Ajay Kumar Son of Sri Sahjanand Gahlout resident of Village- Chanhuta, PO- Khuthan, PS- Haspura, District- Aurangabad, Pin Code- 824120.

181. Afroz Alam Son of Tanzim Ahmad resident of Millat Colony (Bali), Phulwarisharif, District- Patna, Pin Code- 801505.

182. Vikash Kumar Son of Sri Shyamnarayan Prasad resident of Village and PO- Barni, District- Patna, Pin Code-804452.

183. Shailendra Kumar Prasad Son of Sri Bishwakarma Sah resident of Village- Sahuli Bajari tola, PO- Sahuli, District- Siwan, Pin Code- 841286

184. Shekhar Suman Son of Sri Mahendra Prasad resident of Village Diguriya, PO- Pilaya, District- Gaya, Pin Code- 824217.

185. Uttam Kumar Son of Sri Hari Narayan Singh resident of Mitarlock Colony, Pandey Patti, Buxar, PO- Gajadhar Ganj, PS- Buxar, District- Buxar, Pin Code- 802103.

186. Binod Ram son of Sri Kedar Ram resident of Village- Kajpa, PO- Jakhnim, PS- Rafiganj, District- Aurangabad, Pin Code- 824122.

187. Uday Kumar Bharti Son of Sri Baras Pandit resident of Village Uttari Sangat, PO and PS- Phulwarisharif, District- Patna, Pin Code- 801505.

188. Kailash Kumar Son of Sri Yogendra Prasad Sahu resident of Village- Basaha, PO-Barahara, Via- Andhara, District- Madhubani, Pin Code- 847401.

189. Mukesh Kumar Singh Son of Late Munilal Singh resident of village- Bhandaridih, PO- Arar, Via- Ekchari, District- Bhagalpur, Pin Code- 813204.

190. Manoj Kumar Son of Late Rajdeo Singh resident of Village- Chhaku Bigha, PO- Kanap, PS- Daudnagar, District- Aurangabad

191. Sandeep Kumar Gupta Son of Kaleshwar Ram resident of Village- Korkatta, PO- Hariharpur, District- Dhanbad, State of Jharkhand, Pin Code- 828401.

192. Shashi Bhushan Son of Shrr Sukhdeo Choudhary resident of Village- Bhat Bigha, PO- G.B. Kendua, PS- Sirdala, District- Nawada, Pin Code- 805122.205.

193. Krishna Kumar Son of Shree Lakshuman Singh resident of Village- Premchand Path, Gaurakshani Sasaram, Ward No. 7/5, PO and PS- Sasaram,

District- Rohtas,Pin Code- 821115.

.... Petitioners-Appellants

Versus

1. The State of Bihar, through the Principal Secretary, Labour Resources Department, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Labor Resources Department, Government of Bihar, New Secretariat, Patna.
3. The Joint Secretary, Labor Resources Department, Government of Bihar, New Secretariat, Patna.
4. The Deputy Secretary, Labor Resources Department, Government of Bihar, New Secretariat, Patna.
5. The Director, Directorate of Employment and Training (Training Wing), Labour Resources Department, Government of Bihar, New Secretariat, Patna.
6. The Deputy Director, Directorate of Employment and Training (Training Wing), Labour Resources Department, Government of Bihar, New Secretariat, Patna.
7. The Assistant Director, Directorate of Employment and Training (Training Wing), Labour Resources Department, Government of Bihar, New Secretariat, Patna.
8. The Secretary, Bihar Staff Selection Commission, PO- Veterinary College, Patna- 800014.

.... Respondents-Respondents

9. Deepak Kumar Son of Sri Ramjee Ram resident of At- Khedarpur, PO- Bahadurpur, District- Samastipur, Pin Code- 848114.
10. Shashi Kant Son of Sri Suresh Pandit resident of Village- Raisar, PO- Basudeopur, District- Mungeyr.
11. Anayat Karim Son of Md. A. Rashman resident of Village- Sujawalpur, PO- Shankerapur, District- Munger.
12. Gunjan Kumar Sinha Son of Sri Vinod Kumar Sinha resident of Macharhattapul, Ward No. 23, Buxar, PO-Buxar, District- Buxar, Pin Code- 802101.
13. Ravi Kumar Son of Sri Anjani Prasad Sah resident of At- Mangal Colony, Sudin Chwok, District- Purnea, Pin Code- 854301.
14. Rina Roy daughter of Sri Satyendra Prasad resident of Sader Bazar Phari (Near R.B. High School), Jamalpur, District- Mungeyr, Pin Code- 811214.
15. Mala Kumari daughter of Ram Chandra Prasad yadav resident of At and PO- Basudeopur, PS- Kotwali, District- Munger, Pin Code- 811202.
16. Ambedkar Prasad Son of Sri Harchu Das resident of At- Bari Bisahar, PO and PS- Barahat, District- Banka, Pin Code- 813103.
17. Surendra Kumar Singh Son of Sri Ram Dharam Nath Singh resident of Village- Dayalnagar, near Ram Nagar, Railway Dhala Sarha, District- Chappra, Pin Code- 841302.
18. Anu Kumari Daughter of Sri Surendra Sharma resident of Village- Goai, PO- Karanja, PS- Naubatpur, District- Patna, Pin Code- 801109.
19. Santosh Kumar Son of Sri Krishna Mohan Pandit resident of Postal Colony, Barari, PO- Barari, District- Bhagalpur, Pin Code- 812003.
20. Dharmendra Kumar Son of Shree Bhim Ram Gond Resident of village- Bhabhua, Ward No. 09, Chhawni Mohalla, Radheykrishna Path, PO and PS- Bhabhua, District- Kaimur, Pin Code- 821101.

.... Petitioners-Respondents

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Appearance :

For the Appellants : Mr.A. N. Tripathi, Senior Advocate

Mr. Rama Kant Singh, Advocate
For the Respondent State of Bihar : Mr. Kundan Bhadur Singh, S.C.-22
Mr. Chakrapani, Advocate, as Amicus Curiae

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
and
HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE I. A. ANSARI)
Date: 18-02-2015

This appeal has been preferred against the order, dated 18.06.2014, passed, in C.W.J.C. No. No.7767 of 2013, by a learned single Judge of this Court, whereby the writ petitioners-appellants' prayer in the writ petition, made under Article 226 of the Constitution of India, for regularization of their contractual appointments against sanctioned vacant posts of Trade Instructors in their respective trades and different Industrial Training Institutes of the State of Bihar has been declined.

2. We have heard Mr. A. N. Tripathi, learned Senior Counsel, appearing for the writ petitioners-appellants, and Mr. Kundan Bahadur Singh, learned Standing Counsel No.22, appearing for the respondent State of Bihar. We have also heard Mr. Chakrapani, learned Counsel, as Amicus Curiae.

3. While considering the present appeal, it needs to be noted that the writ petition was filed, on 11.04.2013, seeking regularization of their contractual services against the sanctioned vacant posts of Trade Instructors, in their respective trades in different Industrial Training Institutes



(ITI) across the State of Bihar and, only thereafter, to take steps for fresh appointments through the Staff Selection Commission and also direction for quashing the Advertisement No. 02/2013 issued by the Staff Selection Commission in so far it purports to initiate process of selection for all the 600 vacant posts of Trade Instructors including the posts presently held by the writ petitioners-appellants.

4. However, during the pendency of the writ petition, Bihar Industrial Training Instructor Cadre Rules, 2013 (hereinafter referred to as 'the 2013 Rules') was notified on 19.07.2013 and gazetted on 25.07.2013, the 2013 Rules, having been framed under the proviso to Articles 309 of the Constitution of India.

5. Rule 3 of 2013 Rules mentions *cadre* and *category* of Bihar Industrial Training Instructor.

6. Sub-rule (2) of Rule 3 of the 2013 Rules states, "*The persons appointed and working in different category of cadre, shall be deemed to be automatically included in this cadre*".

7. When the writ petition was taken up for consideration before the learned single Judge, it was submitted, on behalf of the writ petitioners-appellants, that in terms of the legal fiction, which Sub-rule (2) of Rule 3 of the 2013 Rules, has created, not merely those persons, who had



been working in different cadres on coming into force of 2013 Rules, but also those, who may have been working, in a given cadre, on being appointed on contractual basis, would be deemed to be automatically included in the *cadre* in which a contractual appointee may have been serving on the date aforementioned. This aspect of the submissions, made on behalf of the writ petitioners-appellants, has not been addressed by the learned single Judge, while making the order which has been appealed against.

8. Considering, however, the fact that after coming into force of 2013 Rules, no amendment had been made in the writ petition and no foundation was laid, in the said writ petition, for seeking to obtain the benefit of the legal fiction, which Rule 3(2) of 2013 Rules has created, it was not inappropriate, on the part of the learned single Judge, to decline to deal with the submission that Rule 3(2) conferred a right on the writ petitioners-appellants to be treated as members of the cadre as defined by 2013 Rules.

9. Confronted with the situation, as indicated above, it has been submitted by Mr. A. N. Tripathi, learned Senior Counsel, appearing on behalf of writ petitioners-appellants, that the writ petitioners-appellants seek to withdraw this appeal with liberty to approach afresh Court with application, under Article 226 of the Constitution of India,

in order to seek appropriate remedy on the basis of 2013 Rules.

10. To the submission so made, no specific resistance has been offered on behalf of the respondents.

11. Considering, therefore, the matter in its entirety and in the interest of justice, while disposing of this appeal as withdrawn with liberty to approach this Court with appropriate application, as has been sought for on behalf of the writ petitioners-appellants, we make it clear that we have not considered, nor has the learned single Judge considered, the legal effect of Rule 3(2) of 2013 Rules and, in consequence thereof, the writ petitioners-appellants shall remain at liberty to file writ petition afresh as has been sought for on behalf of writ petitioners-appellants.

12. The appeal shall accordingly stand disposed of with the above observations and directions.

13. No order as to costs.

(I. A. Ansari, J)

(Samarendra Pratap Singh, J)

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