

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6222 of 2007

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Deo Nandan Paswan, son of late Maran Dusadh, resident of village
Bankipur Gorakh, P.S. Fatuha, District Patna

.... Petitioner

Versus

1. The State of Bihar
2. The Commissioner cum Secretary, Department of Agriculture, Govt. of Bihar, Patna
3. The Director, Agriculture, Govt. of Bihar, Patna
4. The Director, Bihar State Agricultural Marketing Board, (Dissolved)
5. The Officer on Special Duty, Agricultural Marketing Committee, (Dissolved) Fatuha, cum Sub-divisional Officer, Patna city

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Manish Kumar 3
Mr. Rakesh Singh

For the Respondent/s : Mr. (Sc23)
Mr. B.K.Singh Chouhan

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

7 04-08-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner's services as a daily wage employee was terminated in the year 2007 and he has remained out of service for all this period of more than eight years, this Court does not feel necessity to continue with this writ application, especially when the matter is said to be pending before the Apex Court in relation to similarly situated daily wages employee.

This writ application is, accordingly, disposed of with a liberty to the petitioner to approach the competent authority if the

issue decided by the Single Judge and the Division Bench of this Court is also affirmed by the Apex Court and the similarly situated daily wage employees of Dissolved Agricultural Marketing Committee are sought to be taken in service. In other words, in the matter of retention of daily wage employees, subject to the order of the Apex Court in the similarly situated pending cases, the principle of "last come first go" as again laid down by the Apex Court in the case of **Manager Govt. Branch Press & Anr. Vs. D.B. Belliawpa** reported in **AIR 1979 S.C. 429** shall be followed in its letter and spirit.

surendra/-

(Mihir Kumar Jha, J)

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