

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12974 of 2013

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1. Ajay Kumar Yadav, son of Ramdeo Gope, Resident of Mohalla-Babuaganj Gaighat, Police Station- Alamganj, Post Office Gulzarbagh, Dist. Patna.
 2. Birendra Kumar Singh, Son of Sri Hardeo Prasad Singh, Resident of Village & Post Nipania, P.S. Barhara Kothi, Dist. Purnia, Pin-854302.
 3. Pravin Kumar, son of Late Nageshwar Prasad Singh, Resident of Village & Post Orlaha, P.S. Barhara Kothi, Dist. Purnia.
 4. Mithelesh Mandal, son of Ramprit Mandal, Resident of Village Kamalpurghat, Post Office Chakla, Police Station Baheri, Dist. Darbhanga.
 5. Suman Kumar Jha, Son of Sri Madhukant Jha, Resident of Village & Post Chainpur, P.S. Chainpur (Bangaon), Via Bangaon, Dist. Saharsa.
 6. Durga Nand Poddar, son of Late Parmanand Poddar, Resident of Village Kushaha, Post Balia Belone, P.S. Balia Belone, Dist. Katihar
 7. Shashi Kant Mandal, son of late Yogi Prasad Mandal, Resident of Village Krishna Nagar Kewala, Post Dilarpur, P.S. Manihari, Dist. Katihar.
 8. Arun Kumar, son of late Dinanath Gupta, Resident of Village Bibiganj Maida Toli, Post & Police Station Danapur Cantt, Dist. Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Personnel and Administrative Reforms, Government of Bihar, Patna.
3. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
4. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
5. The Principal Secretary, Rural Development Department, Government of Bihar, Patna.
6. The Secretary, Rural Development Department, Government of Bihar, Patna.
7. The Development Commissioner, Government of Bihar, Patna.
8. The Principal Secretary, Health Department, Government of Bihar, Patna.
9. The Director-in-Chief, Health Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Respondent/s : Mr. Samir Kumar, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-12-2016

Heard learned counsel for the parties.

Learned counsel for the petitioners submits that the
petitioners have taken away the file with no objection, having no



authority, cannot press this writ application whereas learned counsel for the State submits that the benefit which was conferred to the person of the Department has already expired on account of expiry of three years and they have already been returned to their own parental department. It has further been submitted that those who were brought as a B.D.O. were being paid the same salary what they were getting while holding the parental post in the parental department and there was no difference of pay-scale of those who were asked to discharge the duty of B.D.O., may be difference in post but, no difference in the scale of pay.

The present petitioners are working in the Health Department claiming that they do have an identical experience of field work as that of their other counter parts, have wrongly been deprived of the benefit. As already the others have been returned to their parental Department, in such a situation, the present petition has been rendered infructuous.

This Court does not find any merit in this application and the same is, accordingly, dismissed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.01.2017
Transmission Date	

