

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11058 of 2013

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Anshu Ratan Bharti, Ex Panchayat Rozgar Sevak. Muriyari, Block- Mairwan,
District – Siwan, Presently Residing at- Anshu Ratan Bharti, S/o- Sri Suresh Prasad
Singh, R/Vill- Arms, P.O. - Arms, P.S. - Kajra, Distt - Lakhisarai

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Rural Development
Department, Govt. of Bihar, Patna
2. The Principal Secretary, Rural Development Department, Govt. of Bihar, Patna
3. The District Magistrate Cum District Program Convener, Siwan, Dist - Siwan
4. The Deputy Development Commissioner Cum Additional District Program
Convener, Siwan, Distt - Siwan
5. Block Development Officer, Mairwan Block, District - Siwan

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Advocate

For the Respondent/s : Mr. Vijay Kumar Verma, AC to GA-3

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP
SINGH**

ORAL JUDGMENT

Date: 25-01-2016

Heard learned counsel for the petitioner and the
respondents.

The petitioner was appointed as Panchayat Rozgar
Sevak of Gram Panchayat, Semra under Mairwa Block in the district
of Siwan on 10.09.2007.

The employees of MANREGA went on strike from
27.05.2010 as against non-fulfillment of their 5 Sutri demand. The
petitioner and many other similarly situated were terminated from
service on 29.06.2010.

The case of the petitioner is that the demands were

small and legitimate and he and others had gone on peaceful strike. The very fact that the State Government has accepted some of the demands would establish that their demand was not illegitimate.

A large number of such employees moved this Court with a large number of writ applications, which have been heard in C.W.J.C. No. 15219 of 2015 and its analogous cases. This Court after considering the matter in its entirety quashed the order of termination and directed them to be reinstated in service provided that they immediately report on duty within the time limit so fixed with a warning not to repeat such act in future and on other terms and conditions, which are incorporated in para 18 of the judgment, dated 06.10.2015, passed in C.W.J.C. No. 15219 of 2015, heard analogous with other writ applications.

I find that the case of the petitioner is substantially similar to the cases of petitioners of C.W.J.C. No. 15219 of 2015 heard analogous with other writ applications. The impugned order of termination of the petitioner is set aside on the same terms and conditions as mentioned in the aforesaid judgment.

This writ application is allowed.

(Samarendra Pratap Singh, J.)

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