

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18449 of 2013

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1. Niwash Kumar, son of Sri Ramashray Singh, resident of Village + Post-Bhadsara, District Jehanabad
 2. Mukesh Kumar Nirala, son of Sri Harishchandra Rajak, resident of Mohalla-Shri Krishna Nagar, Hissua, Post +P.S. Hissua, District Nawada
 3. Anand Kumar Singh, son of Shri Lalan Singh, resident of Village Lalganj, Karvi, Dumraon, District Buxar
 4. Jitendra Kumar, son of Sadhu Saran Singh, resident of Village Prasuray, P.O. Panghar, P.S. Khudaganj, District Nalanda

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
2. The Special Secretary, Planning and Development Department, Government of Bihar, Patna
3. The Joint Director, Planning and Development Department, Government of Bihar, Patna
4. The Joint Director-cum-Office Head Directorate of Economics & Statistics, Planning and Development Department, Government of Bihar, Patna
5. The District Statistical Officer, Shekhpura, District Shekhpura
6. The District Statistical Officer, Khagaria, District Khagaria
7. The District Statistical Officer, Saran at Chapra, District Saran at Chapra
8. The District Statistical Officer, Katihar, District Katihar
9. Bihar Staff Selection Commission, Patna, Bihar through its Secretary.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinu Kumar,
Mr. Rajesh Kumar Singh,
Mr Santosh Kumar, Acvocates.
For the State : Mr. Ranjan Kumar, AC to AAG 4
For SSC : Mr. Satyabir Bharti, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 14-03-2016

Heard learned counsel for the petitioners and learned counsel for the State including the Bihar Staff Selection Commission.

In the present writ petition, petitioner is challenging the advertisement dated 29.8.2013, partly pertaining to the

appointment on contract basis issued under the signature of Joint Director, Planning and Development Department, Government of Bihar, Patna.

In the present case, grievance has been raised that petitioners were appointed on contract basis and the Government has further issued advertisement for the appointment on the same contract basis. Basically grievance has been raised by the petitioners that the Government should not be allowed to substitute the contract employment by another contract employment, they can go for regular appointment.

Counter affidavit has been filed by the respondents bringing to the notice of this Court that during pendency of this writ petition the Government has gone for appointment on regular basis, altogether 251 persons who were declared successful have been appointed and they are working and getting their salary.

In such view of the matter, the present writ petition has been rendered infructuous. Accordingly the same is dismissed.

Learned counsel for the petitioners submits that 94 posts are still lying vacant.

In near future, any advertisement is notified and the petitioners applied for the said post, the Government will

consider their cases in accordance with law giving the weightage to the work performed by them. As some persons have become over age, the Government will also consider their cases with respect to granting relaxation in age. If the Government by its own policy intends to regularize the service of its employees the Government would consider the cases of the petitioners also.

Vinay/-

(Shivaji Pandey, J)

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