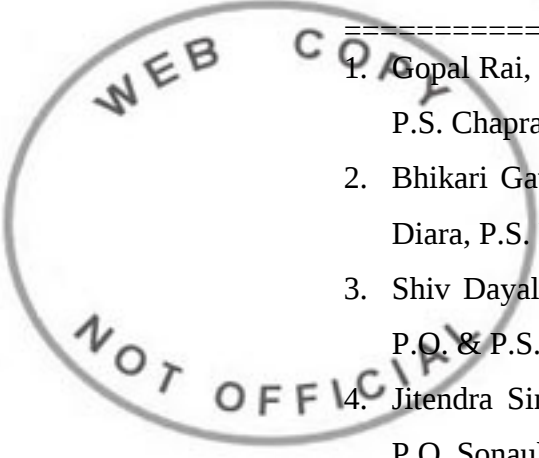


IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9487 of 2013

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1. Gopal Rai, son of Late Ram Ayodhya Rai, Resident Of Village- Purwari Rouja, P.S. Chapra Town, District Saran.
 2. Bhikari Gaur, Son Of Shiv Shankar Gaur, Resident of Village & P.O.- Sitab Diara, P.S. Rivilganj, District Saran.
 3. Shiv Dayal Prasad Yadav, Son of Shankar Rai, Resident of Village- Pahyan, P.O. & P.S. Rivilganj, District Saran.
 4. Jitendra Singh, Son of Baidyanath Singh, Resident of Village Panchrupwan, P.O. Sonauli, P.S. Mashrakh, District Saran.
 5. Nagendra Prasad, Son of Late Kishundeo Prasad, Resident of Village and P.O.- Ashok Nagar, P.S. Jalalpur, District Saran

.... Petitioners

Versus

1. The State of Bihar, through the Chief Secretary, Govt. Of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Cooperative Department, Govt. of Bihar, Old Secretariat, Patna
3. The Registrar, Cooperative Department, Govt. of Bihar, New Secretariat, Patna
4. The District Central Cooperative Society Limited, Chapra, District Saran Through Its Administrator
5. The District Magistrate-Cum-Official Liquidator, Saran At Chapra
6. The Joint Secretary, Cooperative Society, Saran At Chapra-Cum-Joint Liquidator, District Central Cooperative Society Limited, Saran At Chapra
7. The District Cooperative Officer, Saran-Cum Assistant Liquidator, District Central Cooperative Society Limited, Saran At Chapra
8. The Union of India through Its Secretary, Ministry Of Finance, Govt. Of India, New Delhi
9. The Chapra Co-operative Bank Limited, Chapra, through the District Magistrate, Chapra-cum-Liquidator.
10. The Principal Secretary, General Administrative Department, Government of Bihar, Patna.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Verma, Adv.
Mr. Bijay Bihari Sinha, Adv.
For the Respondent/s : Mr. Naushaduzzoha, A.C. to S.C.-1
Mr. M.N.H. Khan, S.C. 1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date: 19-10-2016

Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners were employees of Chapra Central Co-operative Bank Limited, which has been put to liquidation in terms of the Bihar and Orissa Co-operative Societies Act, and now they became jobless. Grievance has been raised that in terms of the policy decision and on human consideration they require rehabilitation as like employees of other Co-operative Banks Limited, who met with same fate.

3. Learned counsel for the petitioners submits that after the closure of the Co-operative Bank the petitioners are moving around for their accommodation and absorption of their services by the State Government. In support of his submission, he placed reliance on the order dated 24.12.2009 passed in Letters Patent Appeal No.992 of 2007, where the Court has taken into

consideration the human aspect of the matter and advised the State Government to act in terms of the order passed by the learned Single Judge for implementation of the policy decision as the State has not taken care to grant relief to the private respondents.

4. Learned counsel for the petitioners submits that the petitioners should be given the same benefit as has been given to the other similarly situated persons in terms of the order dated 24.12.2009 passed in Letters Patent Appeal No.992 of 2007.

5. If the employees of other Co-operative Banks have been accommodated in different departments of the State of Bihar, then it will not be a proper administrative policy to grant the benefit to certain sections of retrenched employees and leaving others in lurch without granting such benefit.

6. Let the petitioners file a proper representation before the Chief Secretary, Government of Bihar, who will examine the case of the petitioners and will look upon its policy decision *vis-à-vis* whether such benefit has been extended to the employees of other Co-operative Banks. If such benefit has been granted to other similarly situated employees then certainly the petitioners of this case are also entitled for the same. While disposing of the matter, the

Chief Secretary, Government of Bihar, would also consider the letter No.4249 dated 02.08.2010 issued by the Co-operative Department.

7. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	20.06.2016
Transmission Date	