

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2520 of 2013

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1. Mithilesh Kumar S/O Late Saryug Prasad Yadav R/O Village-Masti Phatepur,
P.S.-Begusarai Mufassil, District- Begusarai

.... Petitioner/s

Versus

1. The Bihar State Beverage Corporation Ltd. Vidyut Bhawan-Ii, 1st Floor,
Jawahar Lal Nehru Marg, Patna Through Its Managing Director
2. The Managing Director, B.S.B.C. Ltd. Vidyut Bhawan, 1st Floor, Jawahar Lal
Nehru Marg, Patna
3. The Bihar State Textile Corporation, Khadi Gramodyog Bhawan, Patna
4. The Managing Director Bihar State Textile Corporation Ltd., Khadi Gramodyog
Bhawan, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. DINESHWAR MISHRA, Adv.
Mr. Surendra Mishra, Adv.
For the Respondent/s : Mr. Vikas Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date: 12-01-2016

Heard counsel for the petitioner and the respondents.

In the present case, petitioner has a grievance that he has not been
relieved from Bihar State Beverage Corporation and on that score he has not
been allowed to join his parent department i.e. Bihar State Textile Corporation.

As it appears that the Bihar State Beverage Corporation has
already returned the services of the petitioner along with others vide letter dated
29th May 2008 but as per claim of the petitioner he was not allowed to join on
account of having not been relieved.

Accordingly, petitioner approached this Court in CWJC No.17473
of 2012. There the court passed the order directing the Managing Director of the
Bihar State Beverage Corporation to pass necessary order. The Managing

Director, Bihar State Beverage Corporation vide letter dated 3rd November 2012 has recorded that the service of petitioner has already been returned by the Corporation the question of relieving him from the Depot does not arise, as there is no question of any further relieving.

Counsel for the petitioner submits that the petitioner has not been allowed to join and he is moving from pillar to post. When the Court asked as to whether he has any material to show to have attempted to join the Corporation as he must have gone to the Corporation and filed some application for his joining, but the writ petitioner could not point out any document to show that he had approached the Textile Corporation and there he was not allowed to join.

As the letter issued by the Managing Director itself shows that the petitioner was already relieved, there is no need to pass any further order, as he remained absent for eight long years., it appears the petitioner has taken this plea to cover the period.

Petitioner, if so advised, may approach the Textile Corporation for his jointing and the Corporation would act in accordance with law.

With the above observation/direction, this petition is disposed of.

(Shivaji Pandey, J)

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