

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1199 of 2014
IN
Civil Writ Jurisdiction Case No. 21341 of 2012**

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1. Amod Prasad Verma S/o Late Ramshankar Prasad @ Ram Sakal Pd. Resident of Village - Padumaker, P.S. Patahi, District - East Champaran.

.... Appellant/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Rural Development Department, Govt. of Bihar, Patna.
3. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
4. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
5. The Special Secretary, Department of Rural Development Department, Govt. of Bihar, Patna.
6. The District Magistrate, West Champaran, District - West Champaran.
7. The Deputy Development Commissioner-cum-Vice-Chairman-cum-the Managing Director, District Rural Development Agency, West Champaran at Bettiah.
8. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhubneshwar Prasad

For the Respondent/s : Mr. Sanjay Prasad, AC to AAG 4

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 20-04-2017

Heard counsel for the appellant and counsel for the State.

Writ application of the appellant was dismissed on 20.2.2014 refusing to interfere with the decision of the respondent authority of the State Government to treat him as a government servant.



Admitted position is that the appellant was appointed on the post of Lower Division Clerk cum Typist way back by the committee headed by the District Magistrate, West Champaran but such an appointment was made under the District Rural Development Agency. The appointment was made on 12.7.1977. He has earned promotions under DRDA. He has continued in service but when he started inching towards the evening of his life, for better financial security, he started clamoring for a status of a government servant which could assure and ensure him pension after his superannuation.

Such an expectation on behalf of the appellant was a misplaced kind of expectation keeping in mind the authority under which the employment was offered to the appellant having worked therein which was a registered society. The learned Single Judge has rightly held that the District Rural Development Agency is a registered society. It does not have the attributes which can give it the status of State. Merely because some letters from time to time had been issued to regulate the Agency through the implementing Agency of the State of Bihar, it does not make the employees of DRDA to be a State Government employee.

The detailed consideration of the learned Single Judge rejecting the writ application seems to be in conformity with the consistent view about employees of DRDA that they are not State



Government employees. They are employees of a registered society or the Agency in question.

The appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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