

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4594 of 2014

=====

1. Jyoti Narayan S/O Late Sarbeshwar Narayan Resident Of Mohalla - Gola Road, Danapur, P.S. Danapur, District - Patna

2. Pramod Kumar S/O Late Gurucharan Prasad Singh Resident Of Mohalla - Kishori Nagar, Ward No. 9, Nh 31 At & P.O. Barh, District - Patna

3. Pranay Sinha S/O Late Binod Kumar Sinha Resident Of House No. Ny/30A, New Yarpur Road, Patna

4. Ram Babu Gupta S/O Late Hari Narayan Prasad Resident Of House No.11, Magadh Vihar, Gardanibagh, Patna

.... Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Old Secretariat, Patna

2. The Principal Secretary, General Administration Department, Govt. Of Bihar, Old Secretariat, Patna

3. The Principal Secretary, Food & Consumer Protection Department, Govt. Of Bihar, Old Secretariat, Patna

4. The Principal Secretary Finance, Department Of Finance, Govt. Of Bihar, Old Secretariat, Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. R.N. Mukhopadhyaya

For the Respondent/s : Dr. Kamaldeo Sharma, AC to GA 11

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 31-08-2017

Heard Mr. R.N. Mukhopadhyaya, learned counsel appearing on behalf of the petitioners and Dr. Kamaldeo Sharma, learned AC to GA 11.

2. The petitioners initially in this writ petition prayed for a direction for merger of five posts of Supply Clerk on which the petitioners found working with that of Lower Division Clerk in the secretariat clerical cadre with effect from appropriate date and for grant of consequential relief on the basis of their seniority.

During pendency of this writ petition, the petitioners filed I.A. No. 7451 of 2016 for a direction to the respondents that if the respondents have got



some difficulty in merging the cadre of Supply Clerk in the cadre of Lower Division Clerk of the secretariat, the respondents be directed to frame rules with regard to the service conditions of the cadre of Supply Clerk in view of the direction as contained in **Letter No. 3M-23/2005 470-2392 dated 25.08.2006 (Annexure-34).**

3. Mr. R.N. Mukhopadhyaya, learned counsel appearing on behalf of the petitioners submits that the letter was issued on 25.08.2006 for framing of service conditions of each and every cadre existing at the secretariat level but, no rules with regard to service condition of the petitioners has been framed as yet. On such, learned counsel for the State submits that the government has got no objection to frame the rules with regard to service condition of the Supply Clerk on which the petitioners have been working, within six months from the date of receipt/production of this order.

5. Having taken into consideration of the aforesaid facts, this writ petition is disposed of with a direction that the respondents shall frame the rules with regard to service condition of the petitioners within six months.

(Prabhat Kumar Jha, J)

KKSINHA/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.09.2017
Transmission Date	NA

