

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 7977 of 2010

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1. Sanjay Kumar Jha S/O Late Damodar Jha R/O Mohalla- Punaichak, P.S. Shastri Nagar, Distt.- Patna
2. Kishore Tilak S/O Narayanji Tilak R/O Vill.- Chakradharpur, P.S. Chakradharpur, W.Singhbhum, Jharkhand
3. Asim Kumar Sinha S/O Sri Ramanand Prasad Sinha R/O Mohalla- Williams Town, Near Munna Chowk, P.S.B. Deoghar, Distt.- B.Deoghar, Jharkhand

.... Petitioners

Versus

1. The State of Bihar, the Secretary, Department of Rural, Govt. of Bihar, Patna
2. The Chairman, Institute of Entrepreneurship Development, Bihar-Cum-Industrial Development Commissioner, Industries Department, Govt. Of Bihar, New Secretariat, Patna
3. The Executive Director, Institute of Entrepreneurship Development, Bihar State Financial Corporation, 5th Floor, Frazer Road, Patna.

.....Respondents

4. The State of Jharkhand through Secretary, Department of Rural Development, F.F. Building, Dhurwa, Ranchi.
5. The Special, Department of Rural Development, F.F. Building, Dhurwa, Ranchi.
6. The D.C./D.D.C., D.R.D.A. Dhanbad.
7. The D.C./D.D.C., D.R.D.A. West Shinghbhum, Chaibasa.
8. The D.C./D.D.C., D.R.D.A. Deoghar.

.... Respondents 2nd Set

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Roy, Adv.
For the I.E.D. : Mr. Naresh Dikshit, Adv.
Mr. Lalan Kumar, Adv.
For the State of Jharkhand: Mr. Dhruv Mukherjee, Sr.Adv.
Mr. Sanjiv Jaiswal, Adv.
For State of Bihar : Mr. Niraj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

8. 08-04-2017 Sri Jitendra Kumar Roy, learned counsel for petitioners, in presence of Sri Dhruv Mukherjee, learned senior counsel assisted by Sri Sanjiv Jaiswal, learned counsel for the State of Jharkhand, learned counsel for the respondent no. 2 &



3/Institute of Entrepreneurship Development, Bihar as well as learned State counsel, submits that the petitioners' services were already absorbed in the State of Jharkhand and even thereafter, the Institute of Entrepreneurship Development, Bihar, where petitioners were earlier appointed, has taken a decision for terminating the services of petitioners. However, Sri Dhrub Mukherjee, learned senior counsel for the State of Jharkhand states that petitioners have not been absorbed in the State of Jharkhand.

On being asked that once, as submitted, the petitioners were already absorbed in the State of Jharkhand, whether Annexure 1 and 1A were having any relevance, unless pursuant to Annexure 1 and 1A, any subsequent action is taken by the State of Jharkhand, learned counsel for petitioners agrees that presently in absence of any subsequent action against the petitioners, pursuant to Annexure 1 and 1A, the writ petition is premature.

Be that as it may, the Court is of the opinion that since till date, no adverse order has been passed by the State of Jharkhand, pursuant to Annexure 1 and 1A, there is no reason to pass any order. If subsequently any cause of action arises, the petitioners would be at liberty to avail appropriate remedy before appropriate forum.



The writ petition stands disposed of.

(Rakesh Kumar, J.)

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