

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6634 of 2006

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1. Awadhesh Sharma, son of Chandradeo Sharma, resident of Village Baijalpur, P.O. and P.S. Upahara, District Aurangabad, at present Accountant, Patna Treasury, Patna.
 2. Ashok Kumar Pandopadhyaya, son of Late Ajit Kumar Banerjee, resident of Village Hirapur, Burnpur, District Burdwan (West Bengal), at present Account, Patna Secretariat Treasury, Patna
 3. Gaurang Das, son of Suraj Narayan Das, resident of 104, Nawzer Ghat, Diwan Mohalla, Patna City, at present Accountant, Vikas Bhawan Treasury, Patna.
 4. Ramendra Krishna Prasad, son of Late Bijay Krishna Prasad, resident of 'Rohini Kunj', D-7A, Bijay Nagar, Hanuman Nagar, Kankarbagh, Patna-26, at present Accountant, Vikas Bhawan Treasury, Patna.
 5. Anil Kumar Gupta, son of Late Awadh Bihari Lal, Flat No. 351, Block 10, Hanuman Nagar, Kankarbagh, Patna-20 at present Accountant, Patna Secretariat Treasury, Sichai Bhawan, Patna

.... Petitioners

Versus

1. The State of Bihar, through the Chief Secretary to the Govt. of Bihar, Old Secretariat, Patna
2. The Commissioner-cum-Secretary, Finance Department, Govt. of Bihar, Old Secretariat, Patna
3. The Secretary, Cabinet Secretariat and Co-ordination Department, Govt. of Bihar, Old Secretariat, Patna
4. The Secretary, Department of Personnel & Administrative Reforms, Govt. of Bihar, Old Secretariat, Patna
5. The Addl. Finance Commissioner (Expenditure), Finance Department, Govt. of Bihar, Old Secretariat, Patna
6. The District Magistrate, Patna.
7. The Joint Secretary, Bihar, Finance Department, Govt. of Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioners : Mr. Deepak Kumar, Advocate

For the Respondents : Mr. Dinesh Maharaj, AC to AAG 11

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 16-10-2017

The present writ petition has been filed for the following
reliefs –

“(i) To quash the decision taken by the Cabinet in
Memorandum No. 7128, dated 30.12.2005, by which



decision of the Government has been taken for absorption of the deputationists from different Boards/Corporations along with other decisions contrary to the decision already taken by the Governor during the President's Rule on 06.10.2005 by concealing material facts thus misleading the Government.

(ii) To quash the Resolution as contained in Memo No. 1096, dated 22.02.2006 in so far as the deputationists from different Boards/Corporations are concerned issued in part pursuant to the decision taken by the Government in the above-mentioned Memorandum dated 30.12.2005 by which the cadre of the employees of the Treasuries of the State has been merged with the Collectorate cadre of L.D. Clerks in the scale of pay of Rs. 3050-4590/-.

(iii) To quash the decision of the Government in the Finance Department as contained in letter no. 1437 F(2), dated 08.03.2006 also issued pursuant to the decision in Memorandum no. 7128, dated 30.12.2005, by which the Collectors have been directed to absorb by appointment the deputationists in the Treasuries from different Boards/Corporations in the joint cadre of the L.D. Clerks of the Collectorate in the scale of pay of Rs. 3050-4590 in relaxation of age limits under certain terms and conditions contained therein.

(iv) For a direction to the respondent authorities for absorbing the petitioners and other similarly situated persons in posts under the State Government equivalent to those held by them immediately before their deputation".

2. Learned counsel for the petitioners states on instructions that the petitioners have now retired and the reliefs



sought have now become infructuous, hence the writ petition need not be pressed.

3. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.10.2017
Transmission Date	N.A

