

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4770 of 2010

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1. Surendra Kumar Srivastava, son of Sri Narayan Prasad Srivastava, resident of Sebrganj, P.S. Sasaram, District- Rohtas.
 2. Upendra Nath Singh, son of Sri Kailash Singh, resident of Village- Shakhra, P.S. Rajpur, District- Rohtas.
 3. Mahendra Kumar Sharma @ Mahendra Sharma, son of Sri Suryabansh Sharma, resident of Village- Mangitpur, P.S. Nakriganj, District- Rohtas
 4. Wasi Ahmad, son of Ajijullah, resident of Mohalla- Islamia Obra, P.S. Obra, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Shishir Kumar Sinha, Secretary, Forest and Environment Department, Bihar, Patna
3. Sri Wasir Ahmad Khan, the Principal Chief Conservator of Forest, Department of Forest, Bihar, Patna
4. Sri S.S. Choudhary, Regional Chief Conservator of Forest, 22C, Sri Krishnapuri Colony, Patna
5. Sri Satyendra Kumar Singh, Conservator of Forest, Gaya Anchal, Chankyapuri, Gaya
6. Sri Arbindra Singh, Divisional Forest Officer, Rohtas
7. Sri Jai Shankar Singh, Range Officer of Forest, Rohtas Range, Dehri-on-Sone, Rohtas
8. Sri Anjani Kumar Singh, the Secretary, Forest and Environment Department, Bihar, Patna
9. Sri Wasir Ahmad, the Principal Chief Conservator of Forest, Department of Forest, Bihar, Patna
10. Sri Parsuram Ram, Regional Chief Conservator of Forest 22/C, Srikrishnapuri Colony, Patna
11. Sri Santosh Tiwary, the Conservator of Forest, Gaya Anchal, Gaya, Chanakyapuri, Gaya
12. Sri Alok Kumar, Divisional Forest Officer, A.P. Colony, P.S. Rampur, Gaya
13. Sri S.K. Pathak, Range Officer of Forest, Rohtas Range, Dehri-on-Sone, Rohtas.
14. Smt. Vandana Priyadarshi, District Magistrate, Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinay Raj, Advocate
For the Respondent/s	:	Mr. Anil Kumar Verma, A.C. to AAG-9

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

27 01-11-2017

In view of the law laid down by the Supreme Court in the
case of **Secretary, State of Karnataka and Others Vs.**



Umadevi (3) and others-(2006) 4 SCC 1 and the fact that there is no material available on record to show that appointment of the petitioners falls in the category of illegal appointment which could be regularized, in this contempt proceedings now in the light of the Constitution Bench judgment of the Supreme Court in the case of **Umadevi (3)** (supra) I am not inclined to initiate any action for contempt. In case the petitioners feel that the petitioners have been discriminated and persons similarly situated have been regularized and same benefit has not been granted to the petitioners, petitioners may take recourse to such remedy as may be available under law for enforcing their right based on the discrimination but in the light of the law laid down by the Constitution Bench in the case of **Umadevi (3)** supra, I am not inclined to proceed with the contempt application.

The application stands disposed of.

(Rajendra Menon, CJ)

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