

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1752 of 2014

IN

Civil Writ Jurisdiction Case No. 5652 of 2010

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1. Bhola Paswan son of Late Dasai Paswan, resident of village-Murliadih, P.S. Bajpatti, Dist-Sitamarhi.
 2. Ram Binod Singh son of Ram Pragash Mahto Resident of village-Bhasargot, P.S. Sitamarhi, Dist-Sitamarhi.
 3. Ram Babu Mahto son of Late Khakhan Mahto Resident of village-Bhasargot, P.S. Sitamarhi, Dist-Sitamarhi.
 4. Pradip Mahto son of Late Prameshwar Mahto Resident of Village- Mohanpur, P.s. Dumra, Dist-Sitamarhi.
 5. Jaleshwar kumar @ Jaleshwar Mahto son of Deoki Mahto Resident of village- Mohanpur, P.S. Dumra, Dist-Sitamarhi.
 6. Ram Babu Mahto son of Late Ram Bahadur mahto Resident of village- Mohanpur, P.S.Dumra, Dist-Sitamarhi.
 7. Sandip Kumar son of Late Bahadur Prasad Resident of village-Gandhi Tola, P.S. Bajpatti, Dist-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Sri Aamir Subhari, Son of Not Known presently posted as the Principal Secretary General Administration Department, Government of Bihar, Patna.
2. Sri Narmdeshwar Lal Son of not known to the petitioners Presently posted as the Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. Sri Dr. Pratima Son of not known to the petitioners Presently posted as the District Magistrate, Sitamarhi, District- Sitamarhi.
4. Sri Prabhu Ram Son of not known to the petitioners Presently posted as the Additional District Magistrate-Cum-Incharge District Establishment Committee, Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate



For the Respondent/s : Mr. Rajesh Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date: 06-07-2017

On 30th of November, 2010, C.W.J.C. No.5652 of 2010 was disposed of by a Bench of this Court with the observation that the claim of the petitioners for regularization be considered in the light of the law laid down by the Hon'ble Supreme Court in the case of State of Karnataka vs. Uma Devi, 2006(2) P.L.J.R. 363 (SC) and the observations made in para 44 thereof. Records indicate that after collection of data and after constitution of a Committee, the matter was placed before the Committee for consideration on 7.12.2013 and by a detailed recommendation made vide Annexure-D, the Committee has decided the matter and the recommendation made is said to have been implemented by the State Government.

In view of the above, now no further action is required to be taken in the matter. Once the consideration has been made and a decision taken based on the recommendation of the Committee, the petitioners, if they have any grievance still subsists with regard to the manner in which the decision is taken, they may challenge the same in accordance with law in an appropriate proceeding.

As the only direction in the writ petition was to consider the claim as per the law laid down in the case of Uma Devi (supra)



which contemplates constitution of a committee and evaluation of the case, which action has already been taken, the proceedings stands disposed of with the aforesaid liberty to the petitioners.

(Rajendra Menon, CJ)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15.7.2017
Transmission Date	N/A

