

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13552 of 2002

1. Birendra Kumar Singh, Son of Sri Nand Kishore Prasad Singh, Resident of Village- Chougain, P.S.- Murar, District- Buxar, Presently residing in Mohalla- Anandpuri, P.S.- Srikrishnapuri, District- Patna.
2. Arvind Kumar Sinha, Son of Sri Saroj Kumar, Resident of Mohalla- Hanuman Nagar, P.S.- Patrakar Nagar, Town and District- Patna.
3. Narendra Deo Mishra, Son of Late Shirish Deo Mishra, Resident of Mohalla- Srikrishnapuri, P.S.- Srikrishnapuri, Town and District- Patna.
4. Binay Kumar Verma, Son of Late Rameshwar Prasad Sinha, Resident of Village- Maricha, P.O. & P.S.- Sarai, District- Vaishali.
5. Krishna Kanhaiya, Son of Sri Sukhdeo Prasad Sinha, Resident of 55-A, People's Cooperative Colony, Kankarbagh, P.S.- Kankarbagh, District- Patna.
6. Pradhan Murli Manohar Prasad, Son of Late Pradhan Binod Bihari Prasad, Resident of Village- Hatia, P.S.- Chainpur, District- Kaimur.
7. Mahesh Kumar Singh, Son of Late Shrish Narayan Singh, Resident of Village- Jhanjharpur Bajar, District- Madhubani.
8. Suman Singh, Son of Sri Nathuni Singh, Resident of Village- Mahuari, P.O.- Jayatpur, P.S.- Basantpur, District- Siwan.
9. Shailendra Kumar Singh, Son of Sri Suresh Prasad Singh, Resident of Mohalla- Daulatganj, P.S.- Bhagwan Bazar, Chapra District- Saran.
10. Ram Binod Dubey, Son of Sri Alakhdeo Dubey, Resident of Village- Tawkasha, P.O.- Sakri Khurd, P.S.- Parsi, District- Arwal.
11. Rajiv Ranjan Sahay, Son of Late Bilash Pati Sahay, Resident of Mohalla & P.S.- Gardanibagh, Town and District- Patna.
12. Manoranjan Prasad, Son of Sri Shyam Nandan Prasad, Resident of Village- Husaipur Nand, Via- Basantpur, District- Siwan.
13. Upendra Kumar Sinha, Son of Sri Muneshwar Prasad Singh, Resident of Village- Dewaria, P.O.- Madhar, P.S.- Silao, District- Nalanda.
14. Himanshu Bhushan Thakur, Son of Sri Chandra Bhushan Thakur, Resident of Village & P.S.- Barho, District- Madhubani.
15. Dinesh Singh, Son of Sri Raghunath Singh, Resident of Mohalla- Balughat, Muzaffarpur, District- Muzaffarpur.
16. Shatrughan Rajak, Son of Late Pradeep Rajak, Resident of Village- Jurawanpur, Karari, District- Vaishali.
17. Sudhir Sinha, Son of Sri Balram Prasad Sinha, Resident of Mohalla- Krishna Toli, Road No.4, Brahampura, Town and District- Muzaffarpur.
18. Pradip Kumar, Son of Sri Krishnadeo Prasad, Resident of Mohalla- Purandarpur (Khazanchi Road), P.O.- Bankipur, P.S.- Pirbahore, Town & District- Patna.
19. Surendra Prasad, Son of Late Vidya Sagar, Resident of Mohalla- Bakerganj, Daldali Road, Town and District- Patna.
20. Dinesh Prasad, Son of Late Kashi Lal Sah, Resident of Village- Gowaria, P.O.- Rahui, District- Nalanda.
21. Baidyanath Sao, Son of Late Ram Kishun Sao, Resident of Village- Okri, P.O.- Jayantipur, Kurtha, District- Jehanabad.
22. Dharamvir Kumar, Son of Late Shyam Deo Paswan, Resident of Village & P.O.- Toeygarg, District- Sheikhpura.
23. Bhagwat Prasad, Son of Late Hira Sao, Resident of Village- Sohdi,



P.O.- Sohsarai, District- Nalanda.

24. Tribhuwan Prasad Sinha, Son of Sri Ram Chandra Prasad, Extension Officer (Industry & Commerce), D.R.D.A., Buxar, P.O. and District- Buxar.
25. Bachcha Yadav, Son of Sri Kusumlal Yadav, Extension Officer (Industry & Commerce), D.R.D.A., Purnea, P.O. and District- Purnea.
26. Sunil Kumar, Son of Sri Dasrath Prasad, Resident of Village- Durjan Chak, P.O.- Saksohra, District- Patna.
27. Nirmal Kumar, Son of Sri Shyam Bihari Prasad, Extension Officer (Industry & Commerce), D.R.D.A., Begusarai, Police Station- Begusarai, Town and District- Begusarai.
28. Lakhan Prasad Srivastava, Son of Late Kunj Bihari Srivastava, Resident of Village and P.O.- Anand Nagar, District- Siwan.
29. Birendra Kumar, Son of Sri Gaya Prasad, Resident of Village- Usri Bazar, P.S.- Baikunthpur, District- Gopalganj.
30. Muslim Mian, Son of Sri Sahebjian Mian, Resident of Village- Mallapur, P.O. & P.S.- Pachrukhi, District- Siwan.
31. Ravindra Kumar, Son of Sri Chandradeep Sharma, Resident of Village- Amarpura, P.O.- Ali Nagar Pali, District- Jehanabad.
32. Narendra Kumar, Son of Sri T.N. Verma, Resident of Chaya Bhawan, Nawada, Police Station- Nawada, Town and District- Nawada.
33. Sunil Kumar Singh, Son of Late Vijayendra Singh, Extension Officer (Industry & Commerce), D.R.D.A., Begusarai, District- Begusarai.
34. Upendra Kumar, Son of Extension Officer (Industry & Commerce), D.R.D.A., Bhojpur at Arrah, P.O. and District- Bhojpur

.... Petitioners

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Commissioner-cum-Secretary, Department of Personnel & Administrative Reforms, Government of Bihar, Patna.
3. The Commissioner-cum-Secretary, Department of Finance, Government of Bihar, Patna.
4. The Commissioner-cum-Secretary, Department of Rural Development, Government of Bihar, Patna.
5. The Special Secretary, Department of Rural Development, Government of Bihar, Patna.

.... Respondents

Appearance :

For the petitioners : None

For the respondents : Mr. R.B.N.Singh, AC to GA 10

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 01-02-2018

No one appears for the petitioners on repeated call. The



petitioners, who are Extension officers (Industry and Commerce) and were posted in the District Rural Development Agency, have approached this Court by claiming parity and for being treated as State Government employees with all consequential benefits.

Counter affidavit was filed in this case in February, 2015 after serving a copy of the same on the counsel for the petitioner. Stand of the State in paragraphs 10 and 11 of the counter affidavit is as follows:-

“10. That the Department of Rural Development Government of Bihar vide resolution as contained in Memo no. 6479 dated 27.7.2009 amended the aforesaid resolution contained in Memo no. 1624 dated 22.2.2007 and declared the Extension Officer (Industry and Commerce) and others as Government servant since the date of their respective joining.

11. The then Principal Secretary of Department of Rural Development, Government of Bihar vide letter as contained in Memo no. 1872 dated 2.3.2010 provided benefit of the General Provident Fund to the all Extension Officers (Industry and Commerce) appointed prior to 1.9.2005. That in the facts and circumstances stated here in above it is stated that reliefs prayed by the petitioner has been fulfilled and hence this present writ application has become infructuous.”

In view of the foresaid stand of the State authorities, it appears that the grievance of the petitioner is not surviving any more, as such, keeping the instant writ petition pending would serve no useful purpose. In view of the aforesaid stand of the State Government, the writ petition is dismissed as infructuous.



However, if any legitimate dues are outstanding, petitioners would be at liberty to approach the authorities concerned.

(Madhuresh Prasad, J)

Shashi.

NAFR	
CAV DATE	NA
Uploading Date	6.2.2018
Transmission Date	NA

