

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.136 of 2015

In
Civil Writ Jurisdiction Case No. 10865 of 2008

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1. The State of Bihar & Ors
 2. That Administrator, Bihar State Agriculture Marketing Council (Dissolved), Pant Bhawan, Bailey Road, Patna.
 3. The Secretary, Bihar State Agriculture Marketing Council (Dissolve) Pant Bhawan, Bailey Road, Patna.
 4. The Secretary, Agriculture Produce Marketing Board (Dissolved) Rosera, Samastipur.
 5. The Sub-Divisional Officer, Rosera-cum-Special Office, Agriculture Produce Marketing Board (Dissolved), Rosera, Samastipur.

.... Petitioner/s

Versus

Ram Briksh Ram Son of Late Rajendra Ram Resident of Mohalla - Dagwar Tolii Ward No. 12, Rosea, District - Samastipur.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Indrajeet Bhushan

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-07-2018 The learned counsel for the petitioner has submitted that the order under review dated 18.06.2014 passed in CWJC No. 10865 of 2008 was passed on the basis of the judgment dated 27.08.2010 passed in CWJC No. 12641 of 2010, however, it could not be pointed out to the Writ Court that pursuant to the order passed in the said writ petition bearing C.W.J.C. No. 12641 of 2010, which is dated 27.08.2010, the requisite committee of three Secretaries was constituted and the same had decided the case of the writ petitioners of C.W.J.C. No. 12641 of 2010 by an order dated 27.03.2012, whereby the case of the said writ petitioners of C.W.J.C. No. 12641 of 2010 had been rejected, thus the order



under review dated 18.06.2014 came to be passed, which requires suitable modification.

It is accepted by the learned counsel for the petitioners that the order dated 27.08.2010 passed in CWJC No. 12641 of 2010, relying on which, the present order under review dated 18.06.2014 was passed, has not been annulled by any appellate court and on the contrary the same has been acted upon by the petitioners. In fact by the said order dated 27.08.2010, the petitioners herein were granted liberty to the extent that the committee of Secretaries constituted by the State Government may consider the case of the writ petitioners and other daily wagers serving the Board/Marketing Committee/Bazaar Samiti on 01.09.2006 for absorption in terms of Section 6 of the Repeal Act. This Court is of the opinion that since the matter has only been remitted to the committee of Secretaries, there is no impediment for the respondents to consider the case of the petitioner for absorption, hence the order under review dated 18.06.2014 does not require any re-consideration.

The present review petition is, therefore, disposed of in terms of the liberty already granted by the original order dated 18.06.2014.

(Mohit Kumar Shah, J)

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