

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.448 of 2015

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1. Arun Kumar Verma Son of Shri Bindeshwari Prasad Singh, resident of Magadh Vikas Colony, Khajpura, Mouryapath, P.S.- Shastrinagar, P.O.- B.V. College, District- Patna
 2. Shailendra Kumar Yadav, son of Late Nawal Kishore Yadav, resident of Mohalla- Vijaypuri, Ramjaipal Nagar, Gola Road, Danapur, P.S.- Rupaspur, Post- Danapur, District- Patna
 3. Arun Kumar Baranwal, son of Late Ram Lal Pandey, resident of village & Post- Soura Jabar, P.S.- Dagurwa, District- Purnea
 4. Kapildeo Paswan, son of Late Husaini Paswan, resident of village- Hajipur, Post- Korari, P.S.- Nagarnausa, District- Nalanda
 5. Kamal Prasad, son of Late Vishnudev Prasad, resident of village- Madhubani, P.S.- Minapur, District- Muzaffarpur
 6. Arbind Prasad Singh, son of Late Shivilal Singh, resident of Mohalla- Indrapuri (Sipara), P.O.- Dhelwan, P.S.- Beur, District- Patna
 7. Jai Prakash Upadhyay, son of Late Anirudh Upadhyay, resident of Bari Dariyapur, Jamalpur, Near Awantika Cinema, Post & P.S.- Jamalpur, District- Munger
 8. Harishchandra Paswan son of Late Jhapsi Paswan, resident of Mohalla- West Keshari Nagar, Road No.- 8, Vir Kunwar Singh Chowk, Nalapar, Post- Keshari Nagar, P.S.- Digha, District- Patna
 9. Jairam Singh Yadav, son of Late Raj Kishore Singh Yadav, resident of village- Hari Kishunpur, Post- Dalsagar, P.S.- Industrial Buxar, District- Buxar
 10. Md. Quasim Ali, son of Late Jainuddin Shah, resident of Village- Manjhi Takiapar, P.O.+P.S.- Manjhi, District- Chapra (Saran)
 11. Vishnudeo Arya, son of Late Triveni Prasad, resident of village- Hariharpur Tola, Visunpur, P.S.- Sitamarhi, District- Sitamarhi
 12. Vishwanath Prasad, son of Shri Chandrika Prasad, resident of Mohalla- Saristabad West, Post- Anisabad, P.S.- Gardanibagh, District- Patna
 13. Arun Kumar Jha, son of Late Digambar Jha, resident of village & Post- Lalpur, P.S.- Chhatapur, District- Supaul
 14. Smt. Sushila Devi, daughter of Dwarika Prasad, resident of village- Shahpur, Raghonpur, P.O. & P.S.- Shahpur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Bihar, Patna
2. Principal Secretary, Finance Department, Bihar, Patna
3. Principal Secretary, Department of Education, Bihar, Patna
4. Regional Commissioner, Employees Provident Fund, Bihar, Patna
5. Bihar Staff Selection Commission, Patna through its Secretary

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 10809 of 2014



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1. Dr. Hira Lal Singh Son of Late Dudh Nath Singh Resident of Mohalla Vijayapuri, Ram Jaipal Nagar, Gola Road, P.O- Danapur, P.S- Rupaspur, District- Patna.
 2. Chamru Prasad Niarla son of Late Narayan Mahto House no. 73, Kailashpur, East Malahi Pakari, P.O- Lohia Nagar, P.S- kankarbagh, District- Patna.
 3. Vijay Kumar Jha Son of Late Kusheshwar Jha resident of Mohalla Indrapuri West Road No. F., P.S- Shastri Nagar, P.O- B.V. College, Patna 800001.
 4. Kanhaiya Mishra Son of Ram Nath Mishra resident of Mohalla-New Purandarpur, P.O- G.P.O. Patna, P.S- Jakkanpur, District- Patna.
 5. Ram Chandra Paswan son of Late Jhapasi Paswan resident of Mohalla West Keshari Nagar, Road No. 8, B, P.O- Keshari Nagar, P.S- Digha, District- Patna.
 6. Julian Guria son of Late Masih Das Guria resident of Mohalla Defence Colony, P.O- Digha, P.S- Danapur, District- Patna.
 7. Bhogendra Jha Son of Late Mahadeo Jha resident of Mohalla Rajiv Nagar, Road No. 24, P.O- Keshari Nagar, P.S- Rajiv Nagar, District- Patna.
 8. Anil Kumar Sinha Son of Late Vijay Nandan Prasad resident of Jai Mahabir Colony, Road No. 5, P.O- Mahendru, P.S- Bahadurpur, District- Patna.
 9. Ratan Prasad Son of Late Ram Lakhan Rai resident of Mohalla Bibiganj, P.O- Danapur, P.S- Danapur, District- Patna.
 10. Milan Devi W/o Late Pitambar Jha resident of Village & Post Chatara, P.S- Khajauli, District- Madhubani.
 11. Kapil Dev Thakur son of Late Nand Kishore Thakur resident of Village Rajpur, P.O- Manipur, P.S- Madhepura, District- Madhepura.
 12. Anil Kumar Singh Son of Late Dhupneshwar Rai Resident of Village & P.O- North Dhamaun Via Mahnar, P.S- Patori, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Bihar, Patna.
2. The Principal Secretary, General Administration Department Government of Bihar, Patna.
3. Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Principal Secretary, Department of Education, Government of Bihar, Patna.
5. Regional Provident Fund Commissioner, Regional Provident Office, Bihar, R. Block, Patna.
6. The Secretary, Bihar Staff Selection Commission, Patna, P.O- Veterinary College, Patna- 14, District- Patna.

.... Respondent/s

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Appearance :

(In CWJC No.448 of 2015)

For the Petitioner/s : Mr. Abhinav Srivastava

For the Respondent/s : Mr. AAG14- KAUSHAL KUMAR JHA

(In CWJC No.10809 of 2014)

For the Petitioner/s : Mr. Brisketu Sharan Pandey

For the Respondent/s : Mr. AJEET KUMAR

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 07-02-2018



Heard counsel for the petitioners and the respondent-State.

2. Petitioners are erstwhile employee of the Vidyalaya Seva Board (hereinafter referred to as 'the Board') and subsequently their services has been absorbed in the Bihar Staff Selection Commission are claiming reckoning of their past service rendered in the erstwhile Board which has been rejected by Annexure 18 of the writ petition i.e., the notification dated 22.07.2013 issued by the Joint Secretary in the General Administration Department.

3. It is submitted by the learned senior counsel for the petitioners that in view of the various orders passed in writ petitions, in an effort to resolve the issue, the State has taken a policy decision as to how the services of the Board can be treated. He submits that the policy decision is contained in resolution dated 02.02.2018 bearing no. 796 and in light of the said resolution he submits that the petitioners would be entitled for consideration of their claim

4. In view of the submission of the learned senior counsel for the petitioners, no useful purpose would be served by keeping the instant writ petition pending. The same is disposed off with direction to the respondents to take a final decision regarding the claim of the petitioners for reckoning of their past service in light of the resolution



dated 2.2.2018 noticed above.

5. The impugned notification dated 22.07.2013 would not stand in the way of the respondents to decide the claim of the petitioners.

6. In view of the claim being pending for such a long time and in view of the policy decision as indicated by the learned senior counsel for the petitioners, it would be appropriate for the authorities to decide the claim of the petitioners expeditiously and preferably within a period of three months from the date of receipt/production of a copy of this order.

7. The writ petition is disposed off.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	15.02.2018
Transmission Date	

