

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.275 of 2017

In
Civil Writ Jurisdiction Case No. 10037 of 2015

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Md. Shani Khan, S/o Late Abdul Karim Khan, residence of Block Office,
Chakiya, P.S. Chakiya, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar through Chief Secretary Co-operative Department
Government of Bihar, Patna.
2. The Chief Secretary Co-operative Department, Bihar, Patna.
3. The Principal Secretary, Human Resources Department, Government of
Bihar, Patna.
4. The Joint Secretary, Human Resources, Department, Government of
Bihar, Patna.
5. The Secretary, Personal and Administrative Reforms Department
Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Aditya Narayan Singh- 1

For the Respondent/s : Mr. Raj Ballabh Pd. Yadav- Aag11

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

10 25-04-2018 Heard counsel for the appellant and counsel for the

State.

Having perused the impugned order dated 20.08.2016,

besides reason which has been provided by the learned Single

Judge in dismissing the writ application, this Court would also like



to add that since Paid Managers were employees of the Primary Agriculture Cooperative Society they cannot be treated to be state by any interpretation of law. The period the appellant spent as Paid Manager in PACS can never be counted for the purposes of pension etc. merely because as a policy decision they came to be subsequently appointed or absorbed on some post in the State of Bihar keeping in mind the certain directions issued by the Hon'ble Apex Court.

There is no infirmity in the impugned order which requires rectification.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

Devendra/-

(Nilu Agrawal, J)

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