

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4953 of 2014

=====

Krishna Bharti Son Of Late Mahesh Bharti, At Present Residing At North Jai Prakash Nagar, North Of Nala, Road No. 1, P.O.- Ashiana Nagar, P.S.- Ashiana Nagar, Town And District- Patna Petitioner/s

Versus

1. The State Of Bihar
 2. The Principal Secretary, Rural Development Department, Bihar, Patna
 3. The Commissioner, Self Employment, Rural Development Department, Bihar, Patna
 4. The District Magistrate, Patna
 5. The Accountant General, Bihar, Patna Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tewari, Advocate
Mr. Amit Kumar Aman, Advocate

For the State : Mr. Amaresh Kumar Sinha, AC to GA 1

For the A.G. : Mr. Uday Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 24-07-2018

Heard learned counsel for the petitioner, the respondent State as also the Accountant General.

2. It is submitted by the counsel for the petitioner that letter dated 27.02.2013 bearing memo No. 140229 issued by the Secretary in the Department of Rural Development, itself has been quashed by order of this Court dated 27.04.2015 passed in C.W.J.C. No. 10653 of 2008.

3. The said order dated 27.04.2015 has been affirmed by the Division Bench of this Court by order dated 13.03.2018 passed in LPA No. 2082 of 2015. It is also submitted that the order dated 25.04.2013 bearing memo No. 1375 by which the petitioner's absorption under order dated 03.12.2012 has been cancelled relying



upon the government decision dated 27.02.2013 and 25.03.2013 has been quashed by the Division Bench in LPA No. 2082 of 2015. The petitioner was earlier absorbed under the policy decision of the Government of Bihar under two resolutions of the year 2003 and 2006 dated 13.11.2003 bearing No. 8987 and 16.01.2006 bearing No. 03554.

4. Having considered the aforesaid submissions, the writ petition is being disposed off. The petitioner may submit a detailed and comprehensive claim before the Principal Secretary, Rural Development Department, Government of Bihar, Patna, the respondent No. 2. On such claim being submitted, the respondent no. 2 shall be obliged to consider the claim of the petitioner in light of the decision rendered in the C.W.J.C. No. 10653 of 2008 as affirmed in LPA No. 2082 of 2015. Such consideration shall be done within a period of two months from the date of receipt/production of a copy of this order along with detailed and comprehensive representation.

5. The writ petition is disposed off.

6. The order dated 25.04.2013 bearing memo No. 1375 issued by the District Magistrate shall not stand in the way of consideration of the petitioner's claim in light of the decision noted hereinabove.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

