

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7041 of 2015

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1. Arunanand Son of Durganand Thakur resident of At & P.O. Brahman Toli, P.S. Nauhatta, District - Saharsa
 2. Hareram Khan Son of Jagdish Khan resident of At + P.O. Parari, P.S. Bangaon, District - Saharsa
 3. Ghuna Devi wife of Late Kapoor Chandra Yadav Son of Late Rajeshwar Yadav resident of At + P.O. Baijnath Patti, P.S. & District - Saharsa
 4. Dhruv Kumar Paswan Son of Krishna Dayal Paswan resident At + P.O. Kahara, P.S. & District - Saharsa
 5. Surendra Kumar Singh Son of Asarfi Prasad Singh resident of At Gangjala, P.O. + P.S. Saharsa, District – Saharsa Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Government of Bihar, Patna
 2. The Principal Secretary, Department of Rural Development, Government of Bihar, Patna
 3. The Commissioner, Koshi Division, Saharsa
 4. The Collector, Saharsa
 5. The Additional Collector, Saharsa
 6. The Establishment Deputy Collector, Saharsa
 7. The Najarat Deputy Collector of Collectorate, Saharsa
 8. The Director of Account & Self - Employment, District Gramin Vikash Abhikaran, Saharsa
 9. The Deputy Development Commissioner - Cum - Managing Director of D.R.D.A. Saharsa Respondents
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Appearance :

For the Petitioners : Mr. Pramod Mishra, Advocate

For the State : Mr. Rakesh Ranjan, AC to GP 22

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 23-07-2018

Heard learned counsel for the petitioners and learned
counsel for the State.

I.A.No.3080 of 2016 has been filed on behalf of the
petitioners submitting that during pendency of the writ petition
petitioner no.3 Kapoor Chandra Yadav has passed away on
3.12.2015 leaving behind his wife Ghuna Devi. Learned counsel for
the petitioners prays that the name of Ghuna Devi may be
substituted in the place of petitioner no.3.



Prayer made in I.A.No.3080 of 2016 is allowed.
Learned counsel for the petitioners is permitted to make necessary correction in the cause title of the writ petition.

It is submitted on behalf of the petitioners that in view of settled position of law arising out of order dated 13.3.2018, passed in LPA No. 2082 of 2015 and C.W.J.C.No. 10653 of 2008, petitioners shall approach the District Magistrate, Saharsa (respondent no.4) in terms of declaration made in the said order. He submits that the petitioners' case is entirely covered by said judgment as they are working in the District Rural Development Agencies (DRDA) and are entitled to consideration under the absorption policy of the Government.

In view of the declaration of law as above, the writ petition is disposed of with liberty that the petitioners may make their detailed claim before respondent no.4 within a period of one week from today. If any such application is filed, respondent no.4 shall be obliged to consider their claim in accordance with law and dispose of the same by a speaking and reasoned order in light of the decision in LPA No.2082 of 2015.

(Madhuresh Prasad, J)

Shashi.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2018
Transmission Date	NA

