

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16719 of 2016

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1. Aadarsh Kumar Son of Naresh Sharma resident of village - Daniyalpur, Ward No. 5, Block & P.S. Teghra, District - Begusarai
 2. Amit Kumar Anand Son of Sukhan Pandit resident of village - Phulwariya, P.O. Barauni, Block & P.S. Teghra, District - Begusarai
 3. Anup Kumar Bharti Son of Ashok Kumar resident of village - Phulwariya, Kairabari, Ward No. 03, P.O. Barauni, Block & P.S. Teghra, District - Begusarai
 4. Ajay Kumar Son of Late Siyaram Singh resident of village - Sokhara - 01, Ward No. 13, P.O. Barauni, Block - Teghra, P.S. Phulwariya, District - Begusarai
 5. Awadh Nadan Sharma Son of Shankar Sharma resident of village - Daniyalpur, Ward No. 7, P.S. Teghra, Block Teghra, District - Begusarai
 6. Santosh Kumar Yadav Son of Devendra Prasad Yadav resident of village + P.O. Khizirchak, Ward No. 02, P.S. Teghra, Block Teghra, District - Begusarai
 7. Nandita Kumari Son of Jay Shankar Prasad resident of village - Kirtaul, P.O. Khizirchak, Ward No. 02, P.S. Teghra, Block Teghra, District - Begusarai
 8. Abhishek Kumar Son of Suresh Kumar resident of village + P.O. + P.S. Khodawandpur, District - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Planning & Development, Government of Bihar, Patna
2. The Principal Secretary, Department of Planning & Development, Government of Bihar, Patna
3. The Director, Department of Planning & Development, Government of Bihar, Patna
4. The Joint Director - Cum - Officer Head, Department of Planning & Development, Government of Bihar, Patna
5. The District Statistical Officer, East Champaran (Bihar)

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Respondent/s : Mr. Anjani Kumar- AAG-4

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 20-12-2018

Heard the learned counsel for the petitioner and
counsel appearing on behalf of the State.

The petitioners were posted as Accredited Statistical
Volunteers (hereinafter referred to as 'ASV') and the Government



has cancelled the penal of the ASV. Several cases were filed and one of the case is ***Shambhu Kumar and others in C.W.J.C. No.11550 of 2016*** in which the Court has refused to interfere with the termination of service. The Court further observed that if the State would be in need of services of the ASV, the claim of the petitioner would also be considered for such engagement considering the experience gained and training undergone by them and even if the State would decide to look for fresh aspirants, due weightage be given in favour of the petitioners including the relaxation of the age and the same was challenged by ***Shambhu Kumar and Others Vs. State of Bihar in L.P.A. No.535 of 2017***. The Division Bench refused to interfere with the matter.

The counsel for the petitioner submits that this case is entirely covered by Judgment of ***Shambhu Kumar and Others (Supra)***, on facts as well as on law and he should be granted identical relief.

Let the authority should consider the case of this petitioner in the light of the Judgment passed in ***L.P.A. No.535 of 2017 (Shambhu Kumar and Others Vs. State of Bihar)*** if the case of this petitioner is identical in terms of fact, law and prayer. Petitioner will be granted the same benefit as has been given by the ***Shambhu Kumar case (Supra)***.



With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

sanjeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03/01/2019
Transmission Date	NA

