

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16586 of 2016

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Brahmanand Singh Son of Late Kalanand Singh Resident of Village-Dhabauli,
Police Station-Patarghat, Ditriect-Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar, through the Chief Secretary, Old Secretariat, Patna, Bihar
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna
4. Bihar State Construction Corporation Limited through its Managing Director and its Heas Quarter at Khwaja Imli, Anisabad, Patna
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18637 of 2016

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1. Lalo Devi W/o late Asarfi Paswan
2. Rajeeb Kumar S/o late Asarfi Paswan All Resident of Vill- Mathurapur, Maniari, P.S. Maniari, P.O. Purushotampur, Distt. Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna.
3. The Secretary, Department of Water Resources-cum-Chairman, Bihar State Construction Corporation Limited, Patna.
4. The Bihar State Construction Corporation Limited through its Managing Director at its Head Quarter at Khwaja Imli, Anishabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anishabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anishabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18664 of 2016

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Birendra Kumar Son of Late Mangala Charan lal, At present resident of 42-Old A.G. Colony, Kadru, Ranchi, P.S.- Argora, District- Ranchi.

.... Petitioner/s



Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Secretary Department of Water Resources-cum-Chairman, Bihar State Construction Corporation Limited, Government of Bihar, Sichai Bhawan, Secretariat, Patna- 15.
3. The Bihar State Construction Corporation Limited through its Managing Director at its Head Quarter at Khwaja Imli, Anishabad, Patna.
4. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anishabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anishabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18615 of 2016

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Nand Kishore Prasad son of Late Nirsu Lal Resident of Bangraha, P.S. Vidyapati Nagar, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
3. Bihar State Construction Corporation Limited through its Managing Director office at Khawaja Imli, Anishabad, Patna.
4. Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imali, Anisabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Ltd. Head Quarter at Khwaja Imali, Anisabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18557 of 2016

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Daya Kant Prasad son of Late Shiv Lal Resident of Village Bulakipur, P.O.- Kamroon, P.S.- Dalsinghsarai, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Ltd, Patna.
3. Bihar State-Construction Corporation Ltd through its Managing Director, Office of Khwaja Imli, Anisabad, Patna.
4. Managing Director, Bihar State Construction Corporation Ltd, Office at Khwaja Imli, Anisabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Ltd., Head Quarter at Khwaja Imli, Anisabad, Patna.



.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18744 of 2016

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Anand Bihari Lal, son of Late Mithila Lal Das, resident of Malipur, P.O. Mangalgarh, P.S. Hassanpur, District- Samastipur, At present residing at H/o Anil Azad, Batukeshwar Dutta Lane, Behind Community Hall, New Jakkanpur, Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Department of Water Resources Cum Chairman, Bihar State Construction Corporation Ltd, Patna.
3. Bihar State- Construction Corporation Ltd through its Managing Director, Office of Khwaja Imli, Anisabad, Patna.
4. Managing Director, Bihar State Construction Corporation Ltd, Office at Khwaja Imli, Anisabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Head Quarter at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18783 of 2016

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Bharat Singh S/o Late Ram Pravesh Singh R/o Village + P.O.-Katariya, P.S.-Piro, District-Ara (Bhojpur)

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar Through the Chief Secretary, Old Secretariat, Bihar, patna
3. The Secretary, Department of Water Resources Cum Chairman, Bihar State Construction Corporation Limited, patna
4. The Bihar State Construction Corporation Limited through its Managing Director and its HeadQuarter at Khawaja Imli, Anisabad, Patna
5. The Managing Director, Bihar State Construction Corporation, Limited, Office at Khwaja Imli, Anisabad, Patna
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18975 of 2016

=====

Mahesh Mishra S/o Late Hridaya Mishra, Resident of Village- Manpura, P.O.- Haridaspur, P.S.- Kanti, District- Muzaffarpur.



.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through the Chief Secretary Old Secretariat, Bihar, Patna.
3. The Secretary Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. The Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khawaja Imli, Anisabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, office at Khawaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khawaja Imli, Anisabad, Patna.

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 18728 of 2016

Sheojee Ray S/o Late Khunkhun Ray Resident of village + P.O. Pakri Pakohi, P.S. Karja, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna
3. The Secretary, Department of Water Resources Cum Chairman, Bihar State Construction Corporation Limited, Patna
4. The Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khawaja Imli, Anisabad, Patna
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khawaja Imli, Anisabad, Patna
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khawaja Imli, Anisabad, Patna

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 18726 of 2016

Shasi Shekhar Prasad Sharma S/o Late Mahindra Prasad Sharma, Village + P.O. Dighra Rampur Sah, P.S. Muzaffarpur, District Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna
3. The Secretary, Department of Water Resources Cum Chairman, Bihar State Construction Corporation Limited, Patna
4. The Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khawaja Imli, Anisabad, Patna



5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khawaja Imli, Anisabad, Patna

6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khawaja Imli, Anisabad, Patna

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 19156 of 2016

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Baliram Kumar Verma, Son of Late Bindeshwari Prasad, resident of Verma Bhawan, Mohalla- Maranpur, P.S.- Civil Lines, Town and District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretary, Patna.
2. The Secretary, Department of Water Resources-cum-Chairman, Bihar State Construction Corporation Limited, Government of Bihar, Sichai Bhawan, Secretariat, Patna-15.
3. The Bihar State Construction Corporation Limited through its Managing Director at its Head Quarter at Khwaja Imli, Anishabad, Patna.
4. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Inli, Anishabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Officeat Khwaja Imli, Anishabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 19133 of 2016

=====

Urmila Devi, W/o Late Tarkeshwar Yadav, Resident of Village- Narayanpur (Natoliya), P.O.- Narayanpur, P.S.- Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna.
2. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
3. The Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna.
4. The Managing Director, Bihar State Construction Limited, Office at Khawaja Imli, Anisabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 19200 of 2016

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Siya Sharan Singh S/o late Govind Singh Resident of Village+P.O.- Raja Bigha,
P.S. - Narhat, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna.
3. The Secretary, Department of Water Resources Cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. The Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khawaja Imli, Anisabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khawaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office, At Khawaja Imli, Anisabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 16622 of 2016

=====

Md. Muzibur Rahman Son of Late Md. Basiul Haque Resident of village - Ashkol,
P.O. Narma Bharpatti, Police Station Kursho Nadiami, District Drbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Principal Secretary, Government of Bihar, Water Resources Development Department, Sinchai Bhawan, Patna
3. The Managing Director, Bihar State Construction Corporation Ltd. Khwaja Imali, Anisabad, Patna
4. The Secretary, Administration, Bihar State Construction Corporation Ltd. Khwaja Imali, Anisabad, Patna
5. The Accounts officer, Head Office, Bihar State Construction Corporation Ltd. Khwaja Imali, Anisabad, Patna

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 16629 of 2016

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Kiran Devi Wife of Late Nitya Nand Singh Resident of village - Bhagwatipur, P.O. Neora, Police Station Sahpur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar, through the Chief Secretary, Old Secretariat, Patna, Bihar
3. The Secretary, Department of Water Resources Cum Chairman, Bihar State Construction Corporation Limited, Patna



- 4. Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna
- 5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imali, Anisabad, Patna
- 6. The Secretary, Administration, Bihar State Construction Corporation Limited Khwaja Imali, Anisabad, Patna

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 17123 of 2016

Uma Shankar Singh Son of Polay Singh Resident of village - Nabkadih, Police Station Kajra, District - Lakhisarai

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. The State of Bihar through Principal Secretary, Water Resources, Sichai Bhawan, Patna
- 3. The Secretary, Department of Water Resources Cum Chairman, Bihar State Construction Corporation Limited, Patna
- 4. Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna
- 5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna
- 6. The Secretary, Administration, Bihar State Construction Corporation Limited, office at Khwaja Imli, Anisabad, Patna

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 17094 of 2016

Md. Yaseen Ansari son of late Abdul Razzaque, resident of Village Maripur Chauk-1 (Back of Punjabi Godown), P.O. Muzaffarpur, P.S. Kaji Mohammadpur, District Muzaffarpur

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. The State of Bihar through the Chief Secretary, Old Secretariat, Patna, Bihar.
- 3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
- 4. Bihar State Construction Corporation Limited through its Managing Director and its Quarter at Khwaja Imli, Anisabad, Patna.
- 5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
- 6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

with



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Civil Writ Jurisdiction Case No. 17976 of 2016

=====

Ram Awtar Rai Son of Late Jagdish Rai, Resident of Village & P.O.- Katra Kala,
P.S.- Mohania, District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Secretary, Department of Water Resources-cum-Chairman, Bihar State Construction Corporation Limited, Government of Bihar, Sichai Bhawan, Secretariat, Patna- 15.
3. The Bihar State Construction Corporation Limited through its Managing Director at its Head Quarter at Khwaja Imli, Anishabad, Patna.
4. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anishabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anishabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18152 of 2016

=====

Saryug Prasad Singh son of Late Hulas Singh Resident of Village- Saidanichak,
P.O.- Mitran Chak, Police Station- Parsa Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar, through the Chief Secretary, Old Secretariat, Patna, Bihar.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18452 of 2016

=====

Madan Mohan Srivastava Son of Late Banke Bihari Lal Resident of Village and
P.O.- Sher, Police Station- Bansdih Road, District- Balia (U.P.)

.... Petitioner/s

Versus



1. The State of Bihar through Principal Secretary, Water Resources, Sichai Bhawan, Patna.
2. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
3. Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna.
4. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18436 of 2016

=====

Mohan Ram, Son of Late Rambriksh Ram, Resident of Village- Seora, P.O.- Naugarha, P.S.- Bishrampur, District- Palamu (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Secretary, Department of Water Resources-cum-Chairman, Bihar State Construction Corporation Limited, Government of Bihar, Sichai Bhawan, Secretariat, Patna-15
3. The Bihar State Construction Corporation Limited through its Managing Director at its Head Quarter at Khwaja Imli, Anishabad, Patna.
4. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anishabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anishabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18218 of 2016

=====

Sumitra Devi Wife of Late Bharat Jha Resident of village and P.O. Pakri Ashok, Police Station Pipra (Pakri Ashok), District - East Champaran (Motihari)

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Old Secretariat, Patna, Bihar
2. The Secretary, Department of Water Resources Cum Chairman, Bihar State Construction Corporation Limited, Patna
3. Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna
4. The Managing Director, Bihar State Construction Corporation Limited, office at Khwaja Imli, Anisabad, Patna
5. The Secretary, Administration, Bihar State Construction Corporation Limited, office at Khwaja Imli, Anisabad, Patna



.... Respondent/s

with

Civil Writ Jurisdiction Case No. 17718 of 2016

Siya Ram Choudhary, son of late Bujhawan Singh, Resident of Village and P.O. Madhol, P.S. Kudhni, District Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through the Chief Secretary, Old Secretariat, Patna, Bihar.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. Bihar State Construction Corporation Limited through its Managing Director and its Quarter at Khwaja Imli, Anisabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 17789 of 2016

Kallimulah Son of Late Iltaph Hussain Resident of Village and P.O.- Halsi, Police Station-Lakhisarai, District-Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar, through the Chief Secretary, Old Secretariat, Patna Bihar
3. The Secretary, Department, of Water Resources cum Chairman, Bihar State Construction Corporation Limited. Patna
4. Bihar State Construction Corporation Limited through its Managing Director and its Heas Quarter at Khwaja Imli, Anisabad, Patna
5. The Managing Director, Bihar State Construction Corporation, Limited, Office at Khwaja Imli, Anisabad, Patna
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 17770 of 2016

Devendra Prasad Mandal Son of Late Sitabi Prasad Mandal, Resident of Village- Narayanpur, Police Station- Bihpur, District- Bhagalpur.



.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar, Through the Chief Secretary, Old Secretariat, Patna, Bihar.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18014 of 2016

=====

Kokay Yadav Son of Late Gajjo Yadav Resident of Village - Gosai Gaon, P.O. and Police Station - Ghoshbari, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Water Resources, Sinchai Bhawan, Patna.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. The Bihar State Construction Corporation Limited through its Managing Director at its Head Quarter at Khawaja Imli, Anishabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imali, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Limited office at Khawaja Imli, Anishabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 17679 of 2016

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Ambika Prasad Tiwari Son of Late Ram Equabal Tiwari, Resident of Village- Barahdihan, P.O.- Koath, Police Station- Agiawan Bazar, District- Bhojpur (Ara).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar, through the Chief Secretary, Old Secretariat, Patna, Bihar.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. Bihar State Construction Corporation Limited through its Managing Director and Its Head Quarter at Khwaja Imli, Anisabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at



Khwaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s
with

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Civil Writ Jurisdiction Case No. 17805 of 2016

=====

Deep Narayan Yadav Son of Late Bala Prasad Yadav Resident of Village - Madhurapur, Police Station - Bihpur, District - Bhagalpur.

.... Petitioner/s
Versus

1. The State of Bihar.
2. The State of Bihar through the Chief Secretary, Old Secretariat, Patna, Bihar.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. Bihar State Construction Corporation Limited through its Managing Director at its Head Quarter at Khawaja Imli, Anishabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Limited office at Khawaja Imli, Anishabad, Patna.

.... Respondent/s
with

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Civil Writ Jurisdiction Case No. 17948 of 2016

=====

Ram Equabal Sharma, Son of Late Fughu Sharma, Resident of Village- Bharthua, Police Station- Ghoshi, District- Jehanabad.

.... Petitioner/s
Versus

1. The State of Bihar.
2. The Principal Secretary, Water Resources, Sinchai Bhawan, Patna.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. Bihar State Construction Corporation Limited through its Managing Director and its Quarter at Khwaja Imli, Anisabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s
with

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Civil Writ Jurisdiction Case No. 17917 of 2016

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Yogendra Prasad Yadav son of late Sita Ram Prasad Yadav, resident of Village Madhurpur, P.O. Narayanpur, Police Station Bihpur, District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
3. Bihar State Construction Corporation Limited through its Managing Director and its Quarter at Khwaja Imli, Anisabad, Patna.
4. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 17867 of 2016

=====

Maheshwar Prasad Yadav Son of Late Jagdeo Prasad Yadav, Resident of Village- Narayanpur (Navtolia), P.O.- Narayanpur, Police Station- Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar, through the Chief Secretary, Old Secretariat, Patna, Bihar.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 17902 of 2016

=====

Bashishth Kumar Yadav Son of Late Narayan Prasad Yadav Resident of Village - Madhurapur (Narayanpur), Police Station - Bihpur, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar, through the Chief Secretary, Old Secretariat, Patna, Bihar.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. Bihar State Construction Corporation Limited through its Managing Director at



its Head Quarter at Khawaja Imli, Anishabad, Patna.
5. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imali, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Ltd. Khwaja Imali, Anisabad, Patna.

.... Respondent/s
with

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Civil Writ Jurisdiction Case No. 17968 of 2016

=====

Sheo Nandan Shah Son of Late Bishric Shah, Resident of Village- Nima, P.O.- Nadma, Police Station- Dhanarua, District- Patna.

.... Petitioner/s
Versus

1. The State of Bihar.
2. The State of Bihar, through Principal Secretary, Water Resources, Sichai Bhawan, Patna.
3. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
4. Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna.
5. The Managing Director Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

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Appearance :

(In CWJC No.16586 of 2016)

For the Petitioner/s : Mr. Anil Kumar Choudhary with
Mr. Sunil Kumar Karn, Advocate

For the State : Mr. Satish Chandra Mishra with
Mr. Revti Kumar Raman, AC to SC 11
Mr. Sanjay Kumar, AC to AAG 4

For the Construction Corp. : Dr. Anand Kumar, Advocate

For the Respondent/s :

(In CWJC No.18637 of 2016)

For the Petitioner/s :

For the Respondent/s :

(In CWJC No.18664 of 2016)

For the Petitioner/s :

For the Respondent/s :

(In CWJC No.18615 of 2016)

For the Petitioner/s :

For the Respondent/s :

(In CWJC No.18557 of 2016)



For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18744 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18783 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18975 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18728 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18726 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.19156 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.19133 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.19200 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.16622 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.16629 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17123 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17094 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17976 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18152 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18452 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18436 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18218 of 2016)
For the Petitioner/s :
For the Respondent/s :



(In CWJC No.17718 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17789 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17770 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.18014 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17679 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17805 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17948 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17917 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17867 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17902 of 2016)
For the Petitioner/s :
For the Respondent/s :
(In CWJC No.17968 of 2016)
For the Petitioner/s :
For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 06-09-2018

Heard learned counsel for the petitioners; State and Bihar State Construction Corporation Limited (hereinafter referred to as the 'Corporation').

2. It appears that due to inadvertence, the serial number of the previous order dated 16.08.2018 has wrongly been typed as 7 though it should have been 6. Accordingly, the serial



number of order dated 16.08.2018 be read as “6” instead of “7”.

3. The petitioners have moved the Court for payment of their retiral/terminal dues.

4. The undisputed position is that the Corporation was operating in the States of Bihar and Jharkhand but from the year 1992, it has almost become defunct as no activity is being performed and the employees were also not being paid their dues, muchless terminal/retiral dues. The matter, thus, moved before various authorities/forums/courts, including the High Court, learned Company Judge, as he then was, as well as the Hon’ble Supreme Court. Today, the position is that for liquidation, the Corporation itself has moved before the National Company Law Tribunal, Kolkata Bench in Company Petition No. 720 of 2017. In the said application under Section 10 of the Insolvency and Bankruptcy Code, 2016 process has already been initiated and publication also made.

5. In the aforesaid background, though there may be a claim of the petitioners on the Corporation but as the Court has been informed by learned counsel for the Corporation and not controverted by learned counsel for the petitioners that their Union has appeared in the case before the National Company Law Tribunal, Kolkata Bench on 17th August, 2018, taking an overall view, any interference by this Court, at this juncture, may be



unwarranted.

6. At this stage, learned counsel for the petitioners indicated that the State Government itself has taken a resolution contained in Memo No. 132 dated 20.06.2018 in the Department of Finance, with regard to rehabilitation package of the employees of various Boards and Corporations, including the present Corporation. It was their stand that the State be called upon to discharge such obligation based on which the Hon'ble Supreme Court had disposed off Special Leave to Appeal (C) No (s). 16159 of 2017 which was filed by all Bihar Union of such employees. Copy of the order was shown to the Court which reads as under:

“ In view of the action that has been taken by the State Government with respect to the employees of the various Corporations, nothing further is required to be done in the petition.

The special leave petitions are disposed of accordingly.

Pending application, if any, is also disposed of.”

7. Learned counsel for the Corporation submitted that in the resolution dated 20.06.2018 it has been specifically stated that with regard to inter-state Corporations such exercise shall be kept pending till there is final bifurcation between the two States. It



was submitted that no such final bifurcation has taken place and, thus, the present Corporation is not covered under such resolution of the State Government.

8. Learned counsel for the petitioners submitted that there is no employee of the Corporation working in the State of Jharkhand and for all practical purposes, the Corporation is now limited only to the State of Bihar and therefore the liability of the State to implement the aforesaid resolution in the case of the present Corporation cannot be shirked.

9. Learned counsel for the State and Corporation submitted that in view of materials brought on record it is apparent that there are more employees who were in the State of Jharkhand than in the State of Bihar and even if it is assumed that now such persons have come to Patna, which is the headquarters of the Corporation, it would not mean that the establishment at Jharkhand stands wound up as, in law, they are still the employees posted at various places which now falls in the State of Jharkhand.

10. Be that as it may, after considering all aspects, as the Court has indicated above, any interference in the present matter, at this stage, by this Court is not proper primarily for the reason that the matter is now *subjudice* before the National Company Law Tribunal, Kolkata Bench which has proceeded also in the cause. Thus, the law itself providing that all claims, including



that of the employees, which shall be the first charge on the Corporation, has to be adjudicated by the National Company Law Tribunal, Kolkata Bench.

11. In view thereof, the writ petitions stand disposed off with liberty to the petitioners, either to intervene in the said proceeding or wait for the outcome and then take appropriate steps, in accordance with law, before the appropriate forum.

(Ahsanuddin Amanullah, J)

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