

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 21842 of 2013

1. SUKHENDRA PRASAD SON OF RAM SWARUP PRASAD
RESIDENT OF VILLAGE - SONBERSA, P.O. WALA BIGHA,
POLICE STATION PARIAYA, DISTRICT - GAYA
2. AJAY KUMAR SON OF BINDA SINGH RESIDENT OF
VILLAGE - KUSAPI, POLICE STATION - TIKARI, DISTRICT -
GAYA
3. ARBIND KUMAR SON OF RAM NARAYAN SINGH
RESIDENT OF VILLAGE - CHET BIGHA, P.O.UTREN, P.S.
KONCH, DISTRICT - GAYA
4. RAMANAND VISHWAKARMA SON OF MITHU
VISHWAKARNMA RESIDENT OF VILLAGE - KUSHAPI, P.O.
MAHMANNA, POLICE STATION - TIKARI, DISTRICT - GAYA
5. RAM PRAVESH PRASAD SON OF RAM PRATAP SINGH
RESIDENT OF VILLAGE - KUSHAPI, P.O. MAHMANNA,
POLICE STATION - TIKARI, DISTRICT - GAYA
6. BIJAY PRASAD SON OF SIDHESHWAR PRASAD SINGH
RESIDENT OF VILLAGE - SINDHAPUR, P.O. MAGHOPUR, P.
S. - TIKARI, DISTRICT - GAYA
7. BIRENDRA YADAV SON OF LATE RAM DAS YADAV
RESIDENT OF VILLAGE - KARHARA, P.O. DHARMSHALA,
P. S. - TIKARI, DISTRICT - GAYA
8. SURENDRA YADAV SON OF LATE RAM DAS YADAV
RESIDENT OF VILLAGE - KARHARA, P.O. DHARMSHALA,
POLICE STATION - TIKARI, DISTRICT - GAYA
9. RAMDEO YADAV @ RAMJI YADAV SON OF
CHANDESHWAR YADAV RESIDENT OF VILLAGE -
KARHARA, P.O. DHARMSHALA, POLICE STATION - TIKARI,
DISTRICT - GAYA
10. DWARIKA YADAV SON OF GANAURI YADAV RESIDENT
OF VILLAGE - KARHARA, P.O. DHARMSHALA, POLICE
STATION - TIKARI, DISTRICT - GAYA
11. RAM RUP YADAV SON OF CHANDRADEEP YADAV
RESIDENT OF VILLAGE - KARHARA, P.O. DHARMSHALA,
POLICE STATION - TIKARI, DISTRICT - GAYA
12. UMESH YADAV SON OF KAMLA YADAV RESIDENT OF
VILLAGE - DARABIGHA, P.O. SOLRA, P.S. PARIAYA,
DISTRICT - GAYA
13. SHIV BALAK PANDIT SON OF KALLU PANDIT RESIDENT
OF VILLAGE - MOCK, P.O. MOCH, POLICE STATION -
KOACH, DISTRICT - GAYA
14. BIJAY YADAV SON OF MUDRIKA YADAV RESIDENT OF
VILLAGE - KARHARA, P.O. DHARMSHALA, P. S. - TIKARI,
DISTRICT - GAYA
15. BRAHMDEO YADAV SON OF LATE BUDHAN YADAV
RESIDENT OF VILLAGE - JAI NANDAN BIGHA, P.O.
TIKARI, DISTRICT - GAYA
16. HARIVANSH PRASAD SON OF KISHUN MAHTO RESIDENT
OF VILLAGE - BARKI TAKAYYA, P.O. RASULPUR,
DISTRICT - GAYA



17. AWADHESH YADAV SON OF RAM CHARITAR YADAV
RESIDENT OF VILLAGE - KARHARA, P.O. DHARMSHALA,
P. S. - TIKARI, DISTRICT - GAYA
18. RAMSEWAK PASWAN SON OF LATE RAM JATAN PASWAN
RESIDENT OF VILLAGE - RAJPUR, P.O. DHARMSHALA, P.
S. - PARIYYA, DISTRICT - GAYA
19. KEDAR YADAV SON OF RAJDEO YADAV RESIDENT OF
VILLAGE - KARHARA, P.O. DHARMSHALA, P. S. - TIKARI,
DISTRICT - GAYA
20. SHIVAM YADAV SON OF LATE RAGHUNI YADAV
RESIDENT OF VILLAGE - SARBADIPUR, POLICE STATION -
PARIAYA, P.O. LODIPUR, DISTRICT - GAYA
21. BIJAY PD. YADAV SON OF LATE RAGHUNI YADAV
RESIDENT OF VILLAGE - SHARBADIPUR, P.O. LODIPUR,
POLICE STATION - PARIAYA, DISTRICT - GAYA
22. DWARIKA YADAV SON OF LATE ROHIT YADAV RESIDENT
OF VILLAGE - PHULBARIYA, P.O. BAIJUBIGHA, P.S.
GURUA, DISTRICT - GAYA
23. SATYENDRA YADAV SON OF LATE CHANDRADEEP YADAV
RESIDENT OF VILLAGE - JALALPUR, P.O. JALALPUR, P. S.
- TIKARI, DISTRICT - GAYA
24. KISHORI YADAV SON OF RAM BALAK YADAV P.O.
DEVKALI, P.S. DEVKALI, POLICE STATION - GURARU,
DISTRICT - GAYA

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Forest,
Bihar, Patna
2. The District Magistrate, Gaya
3. The Forest Divisional Officer, Gaya Forest Division, Gaya
4. The District Selection Committee Through The District Magistrate, Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Sunil Kumar Yadav, Advocate
For the Respondent/s : Mr Alok Kumar Rahi

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 06-10-2018

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

Learned counsel for the petitioners submits that since
before 1990, the petitioners have been working on Class IV post in
the Forest Denartment



The respondent-authorities have placed on record the counter affidavit. It is stated that as a one time measure, an exercise was undertaken for regularization of the existing employees of the Department and a panel of 226 candidates were prepared where from only 7 persons have been appointed as the number of posts were limited. The specific stand is that the petitioners' names were appearing in the said panel but much below the last selected candidate for regularization.

The stand in the writ petition is that the petitioners are continuing as daily wagers in the Department. Same has not been disputed by the respondents-authorities in the counter affidavit.

In view of such situation, this Court would consider it appropriate that response No 2 would take a final decision whether posts on which petitioners are working continuously are required in future also. If such a decision is taken that the posts are required, then the claim of the petitioners be considered.

Let the entire exercise be completed within four months from the date of receipt/production of a copy of this order.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.10.2018
Transmission Date	NA

