

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 16663 of 2015

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1. Vijay Kumar son of Shri Ramji Prasad resident of Purani Gudari Ward No. 9,
Post & Police Station - Bettiah, District - West Champaran.

2. Yogendra Prasad son of Shri Sheonath Prasad resident of Rajguru Chowk, Post
& Police Station - Bettiah, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.

2. The Principal Secretary, Department of General Administration, Government of
Bihar, Patna.

3. The Commissioner, Tirhut Division, Muzaffarpur.

4. The District Magistrate, Bettiah, West Champaran.

5. The Deputy Development Commissioner, Bettiah, West Champaran.

6. The Deputy Collector, Nazarat/Establishment, Bettiah, West Champaran.

7. The District Welfare Officer, Bettiah, West Champaran.

8. The District Employment Officer, Bettiah, West Champaran.

.... Respondent/s

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For the Petitioner/s	:	Mr Manoj Kumar, Advocate
For the State	:	Mr Prabhakar Jha, GP XXVII with Mr Umesh Narayan Dubey, AC to GP XXVII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 23-04-2018

Heard learned counsel for the petitioners.

2 Counsel appearing for the respondent-State, ignoring
the observations of this Court made in order dated 17.04.2018,
granting last indulgence to the respondents to place on record any
response with clear stipulation that in case of failure, this Court will
proceed presuming that the respondents have no comments to offer,
again makes a prayer for adjournment.

3 This Court, therefore, is not persuaded to allow this
prayer since the matter is pending since 2015. The opportunity given
to the respondents, in the circumstances of the case, to file any
affidavit or to place any stand is, therefore, closed.



4 This Court will proceed to dispose of the matter in light of the order passed by this Court in *CWJC No 10627 of 2014*, whereby the case of other similarly situated person as the petitioners, has been disposed of in view of the settled legal position emanating from the judgment and order dated 07.07.2017 passed in *CWJC No 692 of 2017*.

5 Since no useful purpose will be served keeping the instant proceeding pending any further, this Court would direct that the petitioners' case may be considered for regularization in light of the observations made in *CWJC No 692 of 2017* relying upon the Resolution of the State Government bearing No 639 dated 16.03.2006. Such consideration may be made by the respondents by a reasoned and speaking order in light of the settled legal position and if the petitioners' claim is found similar to the writ petitioner of *CWJC No 692 of 2017*, the respondents would be obliged to extend similar benefit to the petitioners also.

6 The writ petition is disposed of in view of the aforesaid observations.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.04.2018
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