

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7287 of 2010

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1. Indumati D/O Jitendra Prasad R/O Barmasia, Behind Power House, Katihar, P.S. Katihar, Distt.- Katihar
 2. Sunita Kumari Sinha W/O Sushil Chandra Chaudhary R/O Bhikhanpur, P.S. Bhagalpur, Distt.- Bhagalpur
 3. Anjana Rani W/O Sunil Kumar Gupta R/O River Side Road Gaya Near Kiran Talkies, P.S. Kotwali, Distt.- Gaya
 4. Archana Gupta W/O Mahesh Narayan Gupta R/O Katihar, P.S. Katihar, Distt.- Katihar

.... Petitioner/s

Versus

1. The State Of Bihar, Through The Principal Secretary, Department Of Rural Development, Govt. Of Bihar, Patna
2. The Principal Secretary, Department Of Rural Development, Govt. Of Bihar, Patna
3. The Principal Secretary, Department Of Revenue And Land Reforms, Govt. Of Bihar, Patna
4. The Development Commissioner, Govt. Of Bihar, Patna
5. Madhulika Prasad W/O Not Known Presently Posted As Block Development Officer, Bhabhua, P.S. Bhabhua, Distt.- Bhabhua
6. Meera Kumari Das W/O Not Known Presently Posted As Block Development Officer, Block Samaily, P.S. Samaily, Distt.- Katihar
7. Alpna Kumari W/O Not Known Presently Posted As Block Development Officer, Bhore, P.S. Bhore, Distt.- Gopalganj
8. Manju Kumari Kankan W/O Not Known Presently Posted As Block Development Officer, Singheshwar Sthan, P.S. Singheshwar Sthan, Distt.- Madhepura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr. (GP14)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 09-03-2018 On 28.2.2018 the petitioner was not present but
counsel for the State was present.

Today learned counsel for the State is present but no
one from the side of the petitioner is present. On the earlier
occasion, it was informed that present petitioners have been



deputed on the post of Executive Magistrate vide different notifications which are equivalent to the post of Block Development Officer. Hence all the grievances which the petitioners did have, have already been resolved as they have been brought at par with post of Block Development Officer. This Court has recorded following in the order dated 28.2.2018:

*“No one appears for the petitioners.
Counsel for the State is present.*

In the present case, a claim has been made by the petitioners that they have been deprived of deputation to the post of Prakhanda Development Officer though their juniors have been posted therein.

The Government has issued notification in daily newspaper ‘Hindustan’ on 6.2.2010 relating to any person interested for deputation would file proper application and the same will be considered for the same. In pursuance thereof, the petitioners and others have applied. As per claim of the petitioners, the juniors to the petitioners have been deputed and the petitioners have been left without granting any benefit. Thus, a claim has been made that the appointment of the juniors be declared illegal, invalid and void and requires to be quashed and petitioners should be deputed on the post of Block Development Officer.



Paragraph no.13 of the counter affidavit filed by the State deals with Circular No.2907 and 26.3.2010 by which Smt. Indumati, Smt. Anjana Rani, Smt. Sunia Kumari Singh and Smt. Archana Gupta have been deputed as Executive Magistrate vide notification no.4688 dated 28.4.2010, 4614 dated 28.4.2010, 4702 dated 28.4.2010 and 6913 dated 29.6.2010 respectively and the said post is equivalent to the post of Block Development Officer.

In view of the aforesaid fact, learned counsel for the State has submitted that as they have been granted the benefit of equivalent post and, thus, the present writ application does not survive as the relief sought herein has already been extended to them.

As learned counsel for the petitioners is not present, let this case be listed after one week under the heading “For Orders”.

It is made clear that if the learned counsel for the petitioner will remain absent on the next appointed day, this Court will pass orders on the merit of the case”.

Learned counsel for the petitioners has repeatedly remained absent and statement made by the State appears to be correct that all the petitioners who are claiming deputation to the post of Block Development Officer has already been deputed to equivalent post and as such they are not interested



to press this writ petition. The grievances of the petitioners have already been sorted out.

In such view of the matter, this writ petition is dismissed.

(Shivaji Pandey, J)

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