

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 16955 of 2015

- =====
1. Nand Kishore Singh S/o Late Arjun Singh Stenographer, District Rural Development Authority, Lakhisarai.
 2. Umesh Sharma S/o Late Madhusudan Sharma Assistant, District Rural Development Authority, Lakhisarai.
 3. Rajani Kant Kushwaha S/o Late Ram Singhasan Prasad Incharge, Head Clerk, District Rural Development Authority, Bhojpur, Arrah.
 4. Suresh Prasad S/o Lt. Ram Nath Prasad Peon, District Rural Development Authority, Bhojpur, Arrah.
 5. Ganga Prasad S/o Late Arjun Prasad Peon, District Rural Development Authority, Bhojpur, Arrah.
 6. Kanhaiya Choudhary S/o Late Ram Nath Choudhary Peon, District Rural Development Authority, Bhojpur, Arrah.
 7. Satish Kumar S/o Late Jagdish Mahton Peon, District Rural Development Authority, Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Rural Development Department, Government of Bihar, Patna.
3. The Special Secretary, Rural Development Deptt., Govt. of Bihar, Patna.
4. The Dy. Secretary, Rural Development Deptt., Govt. of Bihar, Patna.
5. The District Magistrate, Lakhisarai.
6. The Deputy Development Commissioner-cum-the Chief Executive Officer, D.R.D.A., Lakhisarai.
7. The District Magistrate, Bhojpur, Arrah.
8. The Deputy Development Commissioner-cum-the Chief Executive Officer, D.R.D.A., Bhojpur, Arrah.
9. The District Magistrate, Sheikhpura.
10. The Deputy Development Commissioner-cum-the Chief Executive Officer, D.R.D.A., Sheikhpura.
11. The Union of India, through the Secretary, Ministry of Rural Development, Govt. of India, New Delhi.

.... Respondent/s

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For the Petitioner/s : M/s Purushottam Kr Jha & Avanindra Kr Jha,
Advocates

For the S t a t e : Mr Naman Nayak, AC to AAG X

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 09-05-2018

Heard learned counsel for the petitioner and the



respondent-State.

2 All the petitioners, who have been employed in the District Rural Development Agency in different districts of the State of Bihar prior to 01.04.1999, have approached this Court for a direction that their services may be absorbed in light of the Government decision contained in Annexures 4 and 9 of the writ petition which are the two Resolutions of the Government of Bihar dated 13.11.2003 bearing No 8987 and 16.01.2006 bearing No 03554.

3 The claim of the petitioners for absorption in light of the said decision has been resisted on the strength of the Government decision dated 27.02.2013 bearing No 140229 issued under the signature of the Secretary in the Department of Rural Development. It is pointed out that the said decision has since been quashed under order dated 27.04.2015 passed by this Court in *CWJC No 10653 of 2008*. The said decision has been affirmed by the Division Bench of this Court during pendency of the instant writ proceedings by order dated 13.03.2018 passed in *LPA No 2082 of 2015*.

4 Considering the entire history of the issue with respect to claims made by others similarly situated as the petitioners, Division Bench of this Court has affirmed the setting aside of the Government order dated 27.02.2013. The petitioners, therefore, are entitled to consideration of their case for absorption under the two Resolutions of



2003 and 2006, noticed above.

5 The petitioners may submit their detailed and comprehensive claim before Principal Secretary, Rural Development Department, Government of Bihar, Patna (respondent No 2). On such claim being submitted, respondent No 2 shall be obliged to consider the claim of the petitioners in light of the decision rendered in *CWJC No 10653 of 2008* as affirmed in *LPA No 2082 of 2015*. Such consideration shall be done within two months from the date of receipt/production of a copy of this order along with the written claim of the petitioners.

6 The writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.05.2018
Transmission Date	NA

