

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13613 of 2019

1. Rajiv Kumar Son of Late Dharmendra Mandal Resident of Village-Madhupur, Kushwaha Tola, P.S.-Kotwali, District-Munger
2. Suresh Kumar Son of Late Shivnarayan Bhagat Resident of Mohalla-Belan Bazar, P.S.-Kasim Bazar, District-Munger

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Main Secretariat, Patna
2. Principal Secretary General Administration Department, Government of Bihar, Main Secretariat, Patna
3. District Magistrate Munger
4. Deputy Collector-Establishment Collectorate of Munger
5. Deputy Collector Nazarat, Collectorate of Munger

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur, Advocate
For the Respondent/s : Mr. Md.N.H.Khan (SC 1)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 09-07-2019

Heard the learned counsel for the parties.

2. The petitioners seek a direction against the respondent/District Magistrate, Munger to consider their cases for regular appointment to the vacant Class-IV post, taking into account the fact that even though the names of the petitioners figured in the panel, they were not considered for being regularized.

3. It has been submitted on behalf of the petitioners that after a long litigation, an order was passed by this Court directing the case of the petitioners to be considered by a three men committee for the purposes of



finding out whether their services were entitled to be regularized.

4. It is the case of the petitioners that in the three men committee, two members did not present themselves and there was no representation from the Munger Collectorate. One person, out of the three men committee, decided that the petitioners did not work for 240 days in the Collectorate and therefore rejected their claim.

5. The petitioner no. 2 along with others had approached this Court for redressal for their grievances, which writ petition was rejected by a Bench of this Court holding that once the petitioners were not found to have completed 240 days of continuous service and that the panel which had been prepared had lost its force because of the passage of a year, no relief could be granted to the petitioners there.

6. Mr. Thakur, learned counsel for the petitioners submits that the issue with respect to the decision of the three men committee being faulty was not adverted by by the aforesaid Bench and that petitioner no. 1 was not one of the petitioners in the aforesaid writ petition. It has also been submitted that after the panel was revived on 30.11.2012, the petitioners filed a representation which has yet not been responded.



7. Be that as it may since the issue has already been decided by an Hon’ble Judge of this Court in C.W.J.C. No. 1487 of 2011 vide his order dated 08.12.2015, this Court restrains itself from passing any order.

8. However, at this stage, Mr. Thakur, learned advocate for the petitioners seeks permission to withdraw this petition in order to enable the petitioners to pursue their remedies before the appropriate executive authorities.

9. The petition stands disposed of as withdrawn with the liberty aforesaid.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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