

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16584 of 2019

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1. Alok Kumar S/o Late Radheshyam Prasad Vill.- Mathiya Rashulpur, P.o.- Puraina, P.s.- Sanichari, Distt.- West Champaran
 2. Janardan Prasad S/o Late Nathuni Prasad Ahwar Shekh, P.o.- Ahwar Shekh, Alamganj, Bazar, P.s.- Majhauriya, Distt.- West Champaran
 3. Sudhir Kumar Rai S/o Rajendra Rai Vill.- Barniya Raja Ram, P.o.- Dheswa, P.s.- Gopalpur, Distt.- Gopalganj
 4. Santosh Kumar S/o Late Ramnarayan Das vill.- Barharwa, P.s.- Bahurupia, P.s.- Turkaulia, Distt.- East Champaran
 5. Anil Kumar Thakur S/o Rupnarayan Thakur Vill.- Bijulpur, P.o.- Chainpur, P.s.- Turkauliya, Distt.- East Champaran (Motihari)
 6. Kedar Sahani S/o Late Shivdhar Sahni Vill.- Saphi, P.o.- Saphi, P.s.- Turkauliya, Distt.- East Champaran (Motihari)
 7. Manoj Kumar Ram S/o Jang Bahadur Ram Vill.- Domaghat, P.o.- Rupni, P.s.- Madhuban, Distt.- East Champaran (Motihari)
 8. Suresh Prasad S/o Late Girija Nand Prasad Vill.- Navkathawa, P.o.- Ramgarhwa, P.s.- Ramgarhwa, Distt.- East Champaran (Motihari)
 9. Md. Samsad Alam S/o Hamid Ansari Vill.- Uanjhula, P.o.- Kadamwa, P.s.- Ghorasahan, Distt.- East Champaran (Motihari)
 10. Seema Kumari W/o Lakhindra Kumar Vill.- Rampur, P.o.- Laxmipur, P.s.- Mahua, Distt.- Vaishali
 11. Sonu Saurabh S/o Ram Babu Prasad Singh Vill.- Rajapakar, Ward No. 09, P.o. and P.s.- Rajapakar, Distt.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar
2. The Chairman Revenue Board, Govt. of Bihar
3. The Secretary Revenue Board, Govt. of Bihar
4. The Additional Member Revenue Board, Govt. of Bihar
5. The Manager Bettiah Raj, Bettiah

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bidhanesh Misra Mr. Rajendra Kumar Jha Ms. Tanuja Kumar Mishra
For the Respondent/s	:	Mr. Sajid Salim Khan (SC25)
For the Bettiah Raj	:	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR



ORAL ORDER

2 27-08-2019 Heard Mr. Bidhanesh Mishra, learned Advocate for the petitioners, Mr. Sajid Salim Khan, learned SC-25 for the State and Mr. Shailendra Kumar Singh, learned counsel for Bettiah Raj.

The petitioners were engaged as Amins for one year pursuant to an advertisement issued by the Board of Revenue, Government of Bihar. The advertisement in question clarified that the services of such Amins could be extended if need be and they could also be posted in other districts in case of necessity.

From the letter of appointment, it appears that the mandate of the work of such Amins were manifold viz verification, survey, recovery of dues and preparation of data base on the basis of the current status of land and landholders.

By a decision of the government dated 31.03.2019, the petitioners have been relieved of their responsibility as the work of streamlining the records of lands of Bettiah Raj is over.

Mr. Bidhenesh Mishra, learned Advocate for the



petitioners has submitted that out of such persons who were engaged on temporary basis as Amins, five of them have been retained to the exclusion of the petitioners.

He further submits that the experience that the petitioners have gained can be judiciously utilized by the Government especially when the process of appointment of Amins went in rough weather because of the faulty manner in which it was conducted.

In that event, the claim / request of the petitioners is that they be retained in service or in the alternative be given some relaxation of age and weightage of experience when the Board of Revenue, Government of Bihar would require their services afresh.

This Court is afraid, no mandamus can be issued in that regard as no right has accrued to the petitioners for their having worked for some time as Amins pursuant to an advertisement which clearly stipulated that their engagement would absolutely provisional / temporary which could be extended on perceiving the need for such extension. It is for the government to take a decision with respect to the on-



going work. If the government has come to an understanding that the survey work of Bettiah Raj is over, there is no reason why any direction be issued for retaining the services of the petitioners whose engagement was absolutely provisional and temporary.

All that this Court can direct is that in case, in future, the Board of Revenue, Government of Bihar requires services of Amins for the purposes of work for which they were appointed, the experience of the petitioners shall be taken into account.

In the last, Mr. Mishra has submitted that the petitioners have not been paid the salary for one month for which they have worked.

In case a representation is filed by the petitioners before the concerned authority, viz, the Additional Member, Revenue Board, Government of Bihar (Respondent No. 4) within a period of two weeks, the aforesaid fact shall be verified, the claim of the petitioners would be ascertained and thereafter if it is found that they have not been paid their salary for one month, necessary directions will be



issued for paying the same.

With the aforesaid observation / direction, this
petition stands disposed off.

(Ashutosh Kumar, J)

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