

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1731 of 2017

In
Civil Writ Jurisdiction Case No.8446 of 2016

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1. Upendra Prasad Son of Sukhdeo Prasad, Resident of Village- Mangarbigha, P.S.- Nawada, District- Nawada.
 2. Bangali Paswan, S/o Shrawan Paswan, Resident of Village- Shekho Daura, P.S.- Kawakole, District- Nawada.
 3. Amar Kumar Sinha, Son of Ramakant Sahay, Resident of Village- Gopal Nagar, P.S. and District Nawada.
 4. Dhiraj Kumar, Son of Ram Nandan Prasad, Resident of Village- Bishunpur, P.S.- Govindpur, District- Nawada.
 5. Banti Kumar Singh, Son of Rana Vijay Singh, Resident of Village- Salempur, P.S. Rajauli, District- Nawada.
 6. Dharamraj Kumar, S/o Ramchandra Singh, Resident of Village- Gadua, P.S. Warisaliganj, District- Nawada.
 7. Arvind Kumar, S/o Nagendra Kumar Sinha, Resident of Mohalla- Jawahar Park, P.S.- Warisaliganj, District- Nawada.
 8. Birendra Kumar, S/o Arun Kumar, Resident of Village- Pakaria, P.S.- Muffasil, District- Nawada.
 9. Sarju Prasad Yadav, S/o Laljit Prasad Yadav, Resident of Village- Takutand, P.S. Rajauli, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Bihar, Patna.
3. The Chief Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Patna.
4. The Secretary, General Administration, Bihar, Patna.
5. The Divisional Commissioner, Gaya.
6. The District Magistrate, Nawada.
7. The Deputy Development Commissioner, Nawada.
8. The Sub-Divisional Officer, Rajauli, Dist- Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr.Prabhat Kumar Verma - Aag 3

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 21-02-2019 Considering the nature of the direction issued by the writ court and the compliance shown in the show cause, particularly paras 4 to 6 thereof, which are quoted below, the



Court is of the view that no further indulgence is required.

“4. That it is being most humbly stated and submitted that in compliance of the aforesaid order dated 19.01.2017, the opposite party no. 6 has directed the O.P.No. 7 to bring the representation of the petitioner(s) as appended in writ petition as Annexure-14 before the District Establishment Committee, Nawada which was convened for necessary consideration on 06.09.2017 under the aegis of the O.P. No. 6.

5. That, it is being further stated that vide resolution dated 06.09.2017, the District Establishment Committee, Nawada has minutely and duly considered the applications/representations of the petitioner(s) in its entirety and unanimously taken the decision to no to accede the request of the petitioner(s) and finally, rejected the representation/application of the petitioner(s) in terms and tune of the provisions of the Bihar Vehicle Driver (Recruitment and Service Conditions) Rule, 2005, the Amended Rule, 2007 and the amended Rule, 2014 and other departmental guidelines in which there is no provision for the recruitment/appointment on basis of experience for the post of vehicle drivers on contract.



6. That, it is being most humbly stated that thereafter vide order dated 25.09.2017 as contained in Memo No. 11/Imp. Dated 25.09.2017, the O.P. No. 6 has also passed a reasoned and speaking order in tune and terms of the Bihar Vehicle Driver (Recruitment and Service Conditions) Rule, 2005, the Amended Rule, 2007 and the amended Rule, 2014 and other departmental guidelines in the matter of the petitioner(s).”

The present proceeding is dropped and the application stands disposed of with liberty to the petitioner, if he is aggrieved by the decision taken by the opposite parties, to challenge the order of the opposite parties in accordance with law in appropriate proceeding before the appropriate authority/forum.

(Anil Kumar Upadhyay, J)

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