

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1087 of 2017

In
Civil Writ Jurisdiction Case No.7268 of 2015

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1. Shailendra Kumar, S/o Late Dr. Mahabir Das, R/o East Boring Canal Road, Kamta Path. Rai Jee Gali. P.O.-G.p.o., P.S.-Buddha Colony, Patna-800001.
 2. Dr. Naveen Kumar, S/o Nand Kishore Prasad, R/o 21/163, Rajendra Nagar, P.S.-Kadamkuan, Patna 800016.
 3. Indu Shekhar Singh, S/o Dr. Maulichand Prasad, R/o 27 Guru Sahay Lal Nagar, P.O.-Ashiana Nagar, P.S.-Rajeev Nagar, Patna 800025.
 4. Arvind Kumar, S/o Late Keshav Prasad Verma, R/o New Yarpur, Behind Jhunjhun Mahal, P.O.-G.P.O., P.S.-Gardanibagh, Patna 800001.
 5. Yamuna Prasad S/o Sri Ganga Ram, R/o Malti Niwas, Vishunpuri, Ambedkar, Nahar Par, Chitkohra, P.O.-Anishabad, P.S.-Gardanibagh, Patna-800001.

... .. Appellant/s

Versus

1. Union Of India
2. Secretary, Labour and Employment Department, Government of India, New Delhi.
3. Regional Provident Fund Commissioner, Bhavishyanidhi Bhawan, R-Block, Road No.06,Patna.
4. The Assistant Provident Fund Commissioner, Bhavishyanidhi Bhawan, R-Block, Road No. 06, Patna.
5. State of Bihar through Secretary, Environment and Forest Department, Government of Bihar, Sichi Bha
6. Secretary, Environment and Forest Department, Government of Bihar, Sichai Bhawan, Patna.
7. Bihar State Pollution Control Board through Its Chairman, Beltron Bhawan, Shastri Nagar, Patna.
8. Chairman, Bihar State Pollution Control Board, Beltron Bhawan, Shastri Nagar, Patna.
9. The Member Secretary, Bihar State Pollution Control Board, Beltron Bhawan, Shastri Nagar, Patna.

... .. Respondent/s

with
Letters Patent Appeal No. 1621 of 2017
In
Civil Writ Jurisdiction Case No.7268 of 2015

1. Sri Bidyanand Singh, S/o- Late Damodar Prasad Singh, R/o- Flat No. 34, Kamla Apartment, Road No. 10, Patel Nagar, Patna- 800 023 was posted as Senior Law Officer, in Bihar State Pollution Board, Bihar, Patna.
2. Sri S.P. Roy, S/o- Sri Surendra Prasad Roy, R/o- Mahabir Path, West Patel



- Nagar, P.O.- Shastrinagar, Patna- 800 023 at presently serving as Assistant Environment Engineer in Bihar State Pollution Board, Bihar, Patna.
3. Sri Arjun Prasad Singh, S/o- Kishori Prasad Singh, R/o- Beer Kuwar Singh Nagar, Janta Road, Purani Jakkanpur, Patna- 800 001 was posted as Administrative Officer in Bihar State Pollution Board, Bihar, Patna.
 4. Sri S.N. Rao, S/o- Late Raha Rao, R/o- 401, Blue Bell, Prime's Himadrai Towers, Bosh Ameerli Kukat Polly, Hyderabad- 500 072 was posted as Member Secretary in Bihar State Pollution Board, Bihar, Patna.
 5. Sri Nand Kumar, S/o- Sri Ramroop Mahto, R/o- Rajwanshi Nagar Road No. 2 Extn., P.O. P.S.- Shastrinagar, Patna-23 at presently serving as Assistant Environment Engineer, in Bihar State Pollution Board, Bihar, Patna.
 6. Sri Shambhu Nath Jha, S/o- Late Chandra Deo Jha, R/o- Vill P.O.- Kachahari, Via- Jamunia, District- Madhubani as presently serving as Junior Environmental Engineer, in Bihar State Pollution Board, Bihar, Patna.
 7. Sri S.N. Thakur, S/o- Late Narain Dutta Thakur, R/o- Flat no. 104, Rishav Apartment, Ashiana- Digha Road, P.O.- Ashiana Nagar, Patna- 800 025 as presently serving as Junior Environmental Engineer, in Bihar State Pollution Board, Bihar, Patna.
 9. Sri Devi Das Goswami, S/o- Sri Badal Chandra Goswami, R/o- Moitra Apartment, Block- 13, Yarpur, DVC Road, Patna- 800001 at presently serving as Upper Division Clerk, in Bihar State Pollution Board, Bihar, Patna.
 10. Sri Birendra Kumar, S/o- Late K.P. Shrivastava, R/o- Plot No. 218/D, Patliputra Colony, Patna- 800 013 was posted as Public Relations Officer.
 11. Sri A.K. Gupta, S/o- Late Saryug Prasad Gupta, R/o- 201, Chaturbhuj Apartment, East of College of Commerce, Munna Chak, Kankarbagh, Patna- 800020 at presently serving as Assistant Environmental Engineer, in Bihar State Pollution Board, Bihar, Patna.
 12. Sri Nasiuddin Mian, S/o- Late Khalil Mian, R/o- Darbar Building, Main Road, Karbala, Phulwar Sharif, Patna- 801505 was posted as Budget and Account Officer, in Bihar State Pollution Board, Bihar, Patna.
 13. Sri Jayant Kumar Lal, S/o- Late Alfred Lal, R/o- C/o Anand Lal, Bikhachak, P.O.- Anishabad, P.S.- Gardanibagh, Patna- 800002 was posted as Section Officer, in Bihar State Pollution Board, Bihar, Patna.
 14. Sri S.S. Prasad, S/o- Late Raudi Lal, R/o- Gardanibagh, Alkapuri, P.O.- Anishabad, Patna- 800002 at presently serving as Assistant Scientific Officer, in Bihar State Pollution Board, Bihar, Patna.
 15. Sri Sain Kumar, S/o- Late Gang Prasad Singh, R/o- Vill P.O P.S- Marachi, Dist- Patna at presently serving as Junior Environmental Engineer, in Bihar State Pollution Board, Bihar, Patna.
 16. Sri S.D. Prakash, S/o- Sri Satyanayaran Paswan, R/o- At P.O.- Maula Kamla Gopalpur, P.S.- Maner, District- Patna at presently serving as Assistant Scientific Officer, in Bihar State Pollution Board, Bihar, Patna.
 17. Sri R.U. Mahto, S/o- Sri Aklu Mahto, R/o- At P.O.- Nathudwar, Via- Singhia Ghat, District- Samastipur at presently serving as Assistant Environmental Engineer, in Bihar State Pollution Board, Bihar, Patna.



18. Sri G.K. Mandal, S/o- Sri Bauajee Mandal, R/o- At P.O.- Bariyartu, Dist-Ranchi at presently serving as Assistant Scientific Officer, in Bihar State Pollution Board, Bihar, Patna.
19. Sri Shashi Bhushan Kumar, S/o- Late Bindeshwar Prasad Singh, R/o- Gajadhar Chak, Gola Road, P.O.- Danapur Cantt, Patna was posted as Deputy Analyst, in Bihar State Pollution Board, Bihar, Patna.
20. Sri Devendra Sharma, S/o- Late Ramchanddra Sharma, R/o- Harishchandra Nagar, Sipara, P.O.- Dhelwa, Patna- 800020, was posted as Sample Taker, in Bihar State Pollution Board, Bihar, Patna.
21. Sri Dinesh Kumar, S/o- Late Lakhan Singh, R/o- At Mahavir Nagar, Via-Saichak, P.O. P.S.- Beur, Patna, at presently serving as Assistant Environmental Engineer, in Bihar State Pollution Board, Bihar, Patna.
22. Sri Chandrika Ram, S/o- Late Harwanch Ram, R/o- Bahari Dhawalpura, Patna city, Patna, at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
23. Sri K. Chaudhary, S/o- Sri Suresh Mohan Thakur, R/o- Kalapana Madhususan Sharma New Punaichak, Hanuman Nagar, Patna at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
24. Sri A.K. Shrivastava, S/o- late J.P. Shivastava, R/o- Flat No. 202, Pavitra Apartment, D.V.C. Road New Yarpur, Patna- 800001 at presently serving as Laboratory Assistant, in Bihar State Pollution Board, Bihar, Patna.
25. Sri Ravindra Sharma, S/o- Late Rajendra Kumar Chaudhary, R/o- Sheela Sadan Road, No.- 1-D, Saichak, Beur, Anishabad, Patna- 800002 at present serving as Upper Division Clerk, in Bihar State Pollution Board, Bihar, Patna.
26. Smt. Geeta Kumar, D/o- Late Kailash Rajak, W/o- Sri Ravindra Lal, Vill-Dhirachak, PO- Anishabad, Patna- 800002 at presently serving as Assistant, in Bihar State Pollution Board, Bihar, Patna.
27. Sri J.K.P. Singh, S/o- Sri Ramp Prasad Singh, R/o- Ganpati Nagar, Chandmari Road No. 8, Kankarbagh, Patna- 800020 at presently serving as System Analyst, in Bihar State Pollution Board, Bihar, Patna.
28. Sri Anil Kumar, S/o- Sri Ganesh Singh, R/o- Vill- Pokhra Mohalla- Gudari Bazar, P.O.- Hajipur, Vaishali, at presently serving as Assistant Environmental Engineer, in Bihar State Pollution Board, Bihar, Patna.
29. Sri B. Mahapatra, S/o- Late Brajendra Mahapatra, R/o- 201, Apoorva Apartments, Yarpur Road, Patna- 800001 at presently serving as Section Officer, in Bihar State Pollution Board, Bihar, Patna.
30. Sri R.K. Chaudhary, S/o- Sri Dhaneshwar Chaudhary, R/o- Mohalla-Punaichak, P.O.- Shastrinagar, Patna- 800023 at presently serving as Accountant, in Bihar State Pollution Board, Bihar, Patna.
31. Sri Deo Chand Chaudhary, S/o- Sri Dah Chaudhary, R/o- Mohalla- East Lohanipur, PO PS- Kadamkuan, Patna at presently serving as Accounts Clerk, in Bihar State Pollution Board, Bihar, Patna.
32. Sri R.P. Yadav, S/o- Late Rameshwar Prasad Yadav, R/o- Babu Path, Purandarpur, Patna- 800001 at presently serving as Accounts Clerk, in Bihar State Pollution Board, Bihar, Patna.



33. Sri Shashi Ranjan, S/o- Sri Deenanath Singh, R/o- Saraswati Vihar Colony, Ambedkar Path, Rukanpura, Patna- 800014 at presently serving as Accounts Clerk, in Bihar State Pollution Board, Bihar, Patna.
34. Sri Ranjeet Kumar Singh, S/o- Late Raja Ram Prasad, R/o- Gautam Nagar, Gardanibagh, Patna- 800001 at presently serving as Assistant, in Bihar State Pollution Board, Bihar, Patna.
35. Sri Yogendra Prasad, S/o- Sri Lakeshwar Prasad, R/o- Vill- Paharpur, P.O.- Verma, Dist- Gaya at presently serving as Steno, in Bihar State Pollution Board, Bihar, Patna.
36. Smt. Ranju Kumari, S/o- Late Basu Chandra Dutta, R/o- C/o Sujit Kumar Chaudhary, DVC Colony, Near Durga Mandir, Jakkanpur, Patna- 800001 at presently serving as Steno, in Bihar State Pollution Board, Bihar, Patna.
37. Sri Brijlala Prasad, S/o- Late Buldel Raut, R/o- Urmila Nivas near House of Pappu Electronic New Purandarpur, P.O.- GPO, Patna- 800001 at presently serving as Sample Taker, in Bihar State Pollution Board, Bihar, Patna.
38. Sri Awadhesh Prasad Sharma, S/o- Late Ambika Prasad Sharma, R/o- Mahavir Nagar, Anishabad, Beur, Patna at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
39. Sri Dipu Kumar, S/o- Late Shiv Nath Rajak, R/o- Naya Tola, Khajanchi Road, Patna- 4 at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
40. Sri Asarfi Ray, S/o- Sri Ramjee Ray, R/o- Vill- Harpur, P.O.- Pipra Kothi, P.S.- Pipra Kothi, District- East Champaran at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
41. Sri Dinesh Rajak, S/o- Sri Gopi Rajak, R/o- Naya Tola, Khajanchi Road, P.O.- Bankipur, Patna at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
42. Sri Binod Lal, S/o- Sri Jai Narain Lal, R/o- Loco Colony, Quarter 225/B- Jamalpur, Dist- Munger at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
43. Sri Awadhesh Prasad, S/o- Late Nepali Ray, R/o- Vill- Paithani Nathupur, POPS- Beur, Patna at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
44. Sri Krishan Kumar, S/o- Late Nudip Sah, R/o- Ambedkar Chak, Bhanganal Gauri Mandir near Vishanpur, Chitkohara, Patna at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
45. Sri Ramjee Prasad, S/o- Late Sheo Chari Prasad, R/o- Kamla Niwas, Paithani Nathupur, POPS- Beur, Patna at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
46. Sri Dinesh Singh, S/o- Late Sidh Nath Singh, R/o- Vill- Bakshu, P.O.- Bindidih, P.S.- Rajgir, District- Nalanda at present Mahavir Nagar, IOC, Pipe Line, Beur Jail Road, Anishabad, Patna- 2 at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
47. Sri Ashok Prasad, S/o- Late Ram Prasad Ram, R/o- Hasanpura Road, Mahavir Colony, P.O. P.S.- Beur, Patna at presently serving as Upper Division Clerk, in Bihar State Pollution Board, Bihar, Patna.



48. Sri Satyabrat Singh, S/o- Late Upendra Narayan Sinha, R/o- Behind Durga Mandir, at Dhirachak, P.O.- Anishabad, Patna- 800002 was posted at Section Officer, in Bihar State Pollution Board, Bihar, Patna.
49. Sri Sudhir Kumar Das, S/o- Late Beni Madhav Das, R/o- Shanti Sadan, Bakarganj, Gola Road, P.O.- Bankipur, Patna- 800004 at presently serving as Assistant, in Bihar State Pollution Board, Bihar, Patna.
50. Sri S.N. Jayaswal, S/o- Late K.P. Jayaswal, R/o- Atardah, P.O.- Ramna, Muzaffarpur- 842002 at presently serving as Board Analyst, in Bihar State Pollution Board, Bihar, Patna.
51. Sri F.A. Shamshi, S/o- Md. Israfil, R/o- At P.O.- Jalkura, P.S. District- Khagaria at presently serving as Sample Taker, in Bihar State Pollution Board, Bihar, Patna.
52. Sri Dilip Paswan, S/o- Late Ramdeo Paswan, R/o- Vill Mohiuddinpur, PS- Hassanpur, District- Samastipur at presently serving as Driver, in Bihar State Pollution Board, Bihar, Patna.
53. Smt. Sahnaj Bano, D/o- Md. Salim, W/o Late Khurshid Alam, R/o- Vill- Jalkaura, P.O.- Jalkaura, Dist- Khagaria at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
54. Sri B.C.P. Singh, S/o- Sri Ram Shetha Singh, R/o- House No. 89, Near Bank of India, Rajendra Nagar, R.V. Avenue, Patna- 800016 was posted as Assistant Environmental Engineer, in Bihar State Pollution Board, Bihar, Patna.
55. Sri Arun Kumar, S/o- Sri Ram Nandan Sinha, R/o- 14, Shanti Niketan Housing Colony, Kankarbagh, Patna at presently serving as Assistant Scientific Officer, in Bihar State Pollution Board, Bihar, Patna.
56. Sri Krishna Sah, S/o- Late Naudip Sah, R/o- Ambedkar Chak, Bangal Gauri near Vishanpur, Chitkohara, Patna at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
57. Sri Umesh Kumar, S/o- Late Mestar Rajak, R/o- Mohallah- Dhirachak, P.O.- Anishabad, Patna at presently serving as Tracer, in Bihar State Pollution Board, Bihar, Patna.
58. Sri Narayan Yadav, S/o- Mohi Yadav, R/o- Vill- Shivanagar, P.O.- Rampati, P.S.- Kumarkhand, Dist- Madhepura at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.
59. Sri Surendra Singh, S/o- Late Mohan Singh, R/o- Vill- Bahari Dhawalpura, P.O.- Begampur, P.S.- Bypass, Patna City, Patna at presently serving as Peon, in Bihar State Pollution Board, Bihar, Patna.

... .. Appellant/s

Versus

1. The Union of India
2. Secretary, Labour and Employment Department, Government of India, New Delhi.
3. Regional Provident Fund Commissioner, Bhavishyanidhi Bhawan, R- Block, Road No.- 06, Patna.
4. Assistant Provident Fund Commissioner, Bhavishyanidhi Bhawan, R- Block, Road No.- 06, Patna.



- 5. State of Bihar through Secretary, Environment and Forest Department, Government of Bihar, Sichai Bh
- 6. Secretary, Environment and Forest Department, Government of Bihar, Sichai Bhawan, Patna.
- 7. Bihar State Pollution Control Board through its Chairman, Beltron Bhawan, Shastri Nagar, Patna.
- 8. Chairman, Bihar State Pollution Control Board, Beltron Bhawan, Shastri Nagar, Patna.
- 9. Member Secretary, Bihar State Pollution Control Board, Beltron Bhawan, Shastri Nagar, Patna.

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 1087 of 2017)

For the Appellant/s :
For the Respondent/s : Mr. Tej Pratap Singh, AC to AAG-13
For the Board : Mrs. Binita Singh, Advocate.
For the EPF : Mr. Prashant Sinha, Advocate.

(In Letters Patent Appeal No. 1621 of 2017)

For the Appellant/s :
For the Respondent/s : Mr. Tej Pratap Singh, AC to AAG-13
For the Board : Mrs. Binita Singh, Advocate.
For the EPF : Mr. Prashant Sinha, Advocate.

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

7 29-11-2019 None appears on behalf of the appellants.

As such, both appeals stand dismissed in default.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

sujit/-

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