

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.160 of 2021

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1. Sunil Kumar Son of late Anant Prasad Sinha Resident of Mohalla - Sarvodaya Nagar, Karma Road, Post Office Aurangabad, Police Station Aurangabad Town, District- Aurangabad, Bihar.
 2. Birendra Kumar Son of Late Shivadhin Prasad Shrivastava Resident of Mohalla - Company Sarai, Rouza Road No. 1, Sasaram, Post office and Police Station Sasaram, District- Rohtas Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar, Bihar.
2. The Principal Secretary, Rural Development Department, Government of Bihar, New Secretariat, Baily Road, Patna, 800001.
3. The District Magistrate, Aurangabad, Bihar- 824101.
4. The Deputy Development Commissioner cum Chief Executive Officer, District Rural Development Agency, Aurangabad, Bihar- 824101.
5. The Director, District Rural Development Agency, Aurangabad, Bihar- 824101.
6. The District Establishment Deputy Collector, Collector, Collectorate, Aurangabad, Bihar- 824101.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Uma Kant Mishra
	:	Mr. Shailendra Kumar
For the Respondent/s	:	Mr. Lalit Kishore, AG
	:	Mr. Harish Kumar, GP 8

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 27-10-2021

Heard the learned counsels for the parties.

In the instant petition, State counsel Mr. Harish Kumar (GP

8) accepts notice for respondents.

The petitioner has prayed for the following relief:

The petitioners are invoking the writ jurisdiction of this Hon'ble Court for passing an appropriate order/orders, direction/directions in the nature of writ of mandamus directing the respondents concern to extend the



benefit of absorption in government service as has been extended to similarly situated counterparts in terms of decision of government of India; accepted by the government of Bihar vide resolution contained in Memo No. 8987 dated 13.11.2003 and modified resolution contained in Memo No. 554 dated 16.01.2006 issued under order of the Government of Bihar as well in terms of judgment dated 27.04.2015 passed by this Hon'ble Court in C.W.J.C. No. 10653 of 2008; upheld by a judgment dated 13.03.2018 in L.P.A. No. 2082 of 2015.

The concerned respondent filed a counter statement in which it is stated that the petitioner is not entitled to grievance as stated in the present petition. Merely stating such a statement do not serve the purpose, therefore, the concerned respondent is hereby directed to pass a speaking order as to why the petitioner is not entitled to the grievance sought in the present petition after due consideration of relevant policy decision of the State in respect of absorption and consequential benefits, if any.

Speaking order to be passed shall be communicated to the petitioner at the earliest.

The above exercise shall be completed within a period of four months from the date of receipt of this order.

Petition stands disposed of.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

