

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3778 of 2021**

1. Giridhar Gopal Singh, Son of Late Ram Nandan Singh, Resident of- Ramjhari Sadan, Lauwan Kala, P.S.- Baniyapur, District- Saran, presently residing at E- 12, P.C. Colony, Kankarbagh, P.S.- Kankarbagh, District- Patna.
2. Prashant Kumar, Son of Late Rajender Prasad Singh, resident of Sarmera Kothi, Jamal Road, P.S.- Gandhi Maidan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Main Secretariat, Patna.
2. Additional Chief Secretary, Department of Finance, Government of Bihar, Main Secretariat, Patna.
3. Principal Secretary, Department of Industries, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The Director, Directorate of Industries, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.

... .. Respondent/s

**Appearance :**

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|----------------------|---|------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Kishore Kumar Thakur, Advocate<br>Mr. Braj Kishore Singh, Advocate |
| For the Respondent/s | : | Mr. Shiv Kumar, AC to G.A.-3                                           |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      25-03-2021                      Heard learned counsel for the petitioners and the respondents.

Mr. Thakur, learned counsel for the petitioners submits that the issue raised in the present writ application is no more res-integra, as similar issue was considered by the Division Bench of this Court in L.P.A. No. 716 of 2017 and other analogous appeals (Annexure-16) and the Division Bench allowed the appeals.

Mr. Thakur further submits that the respondents themselves have taken decision vide Annexure-23 on



14.09.2020 and as such they are obliged to extent the befit to these petitioners in the light of resolution dated 14.09.2020. He further submits that similar issue raised in the present writ application was also considered by different Co-ordinate Benches of this Court (Single, Division Bench) as well as by the Apex Court and following the aforesaid decision of this Court as well as Apex Court, Finance Department issued Resolution No. 4691 dated 14.09.2020.

It appears from Annexure-16 that this Court has occasion to decide the identical issue in L.P.A. No. 716 of 2017 and vide judgment dated 12.12.2017 L.P.A. was allowed.

Considering the judgment of the L.P.A. Court in L.P.A. No. 716 of 2017 to which I am also a member, the present writ application is disposed of with a direction to the respondents to strictly follow the judgment rendered by this Court in L.P.A. No. 716 of 2017 dated 12.12.2017 as well as Resolution No. 4691 dated 14.09.2020 (Annexure-23) and extend the benefit to these petitioners preferably within a maximum period of four months from the date of receipt/production of a copy of this order. .

**(Anil Kumar Upadhyay, J)**

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