

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7531 of 2021

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1. Sachin Kumar Son of Nunu Lal Das Resident of Vill.- Dhokaria, Ward No. 9, P.O. Madanpur, P.S. Araria, District- Araria.
 2. Gurudev Singh Son of Girinath Singh Resident of Vill.- Pokharia, Ward No. 12, P.O. Madanpur, P.S. Araria, District- Araria.
 3. Rahul Ranjan Verma Son of Priti Ranjan Verma Resident of Mohalla- Kharahia Basti, Ward No. 10, Araria, P.O., P.S. and District Araria.
 4. Smita Smit Daughter of Jay Prakash Das Resident of Mohalla- Professor Colony, Bagicha Chowk, Ward No. 25, Forbesganj, P.O.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
2. The Additional Secretary, General Administration Department, Govt. of Bihar, Patna.
3. Bihar Prashasnik Sudhar Mission Society through its Director, Sinchai Barrack 1, Harding Road, Patna, Bihar.
4. Additional Director, Bihar Prashasnik Sudhar Mission Society, Sinchai Barrack-1, Harding Road, Patna, Bihar.
5. The District Magistrate-cum- Collector, Araria.
6. Additional Collector (Establishment), Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar
For the Respondent/s	:	Mr. M.N.H. Khan, SC 1

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 17-02-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accepts notice for respondents.



3. Counsel for the petitioners is hereby directed to serve copy of the writ petition to the counsel for the State/respondents, if it is not already served.

4. In the instant petition, petitioners have prayed for the following relief/reliefs:

“That, this petition is being filed for issuance of an appropriate writ, order or direction commanding and directing the respondents no. 5 (District Magistrate) to employ and post the petitioners to the post of executive assistants on contract basis in pursuance of the resolution of the Govt. in its General Administration Department contained in Memo No. 12534 dated 17.09.2018 notified in Bihar Gazette extra ordinary issue dated 18.09.2018 as well as the guidelines issued by the government to the respondent District Magistrate contained in letter No. 1396 dated 02.02.21 whereby and where under it has been communicated that any employee who is working on contract basis in any department has been disengaged on the ground that his service is no more required in the department then such employee shall be employed in other department on contract basis where same post with similar nature of work requiring similar qualification is available and for issuance any other writ, order or direction to which the petitioners are entitled under the facts and circumstances of the case.”

5. The aforesaid relief is supported by application dated 23.01.2021 *vide* Annexure 13. The concerned respondent is hereby directed to examine the records read with the petitioners' applications furnished from time to time and pass appropriate order as to whether petitioners are entitled to the relief sought in the representations/applications or not? If they are entitled necessary relief shall be granted. If they are not entitled, in that



event, detailed speaking order be passed as to why the petitioners are not entitled and it be communicated to the petitioners.

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

7. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

