

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16555 of 2014

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Balram Das Yadav Son of Late Tulsi Das Yadav, presently residing at
Village - Bajitpur, P.O. - Digha Ghat, P.S. - Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar,
2. Principal Secretary, Social Welfare Department, Government of Bihar, Apna Ghar, New Punaichak, Patna.
3. Special Secretary, Social Welfare Department, Government of Bihar, Apna Ghar, New Punaichak, Patna.
4. Director, Social Security and Disability Directorate, Social Welfare Department, Government of Bihar, House No. 31, 32, 33/84, New Punaichak, Patna.
5. Assistant Director, District Social Security Cell, Patna Collectorate, Patna.
6. Mithilesh Kumar (Father's Name Not Know to the Petitioner), Resident of Village and P.O. - Hansa, District - Samastipur through the Assistant Director, District Social Security Cell, Patna Collectorate, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gyanand Roy, Advocate
For the Respondent/s : Mr. Raju Giri, GP-30

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-11-2022

Learned counsel for the petitioner submits that

he has no objection to the matter being heard by the Division

Bench.



Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“(i) For commanding the respondent Nos. 1 to 5 to modify the order of absorption of services of the petitioner and private respondent No. 6, Mithilesh Kumar issued by Office Order No. 29, dated 06.06.2014 vide Memo No. 942, dated 06.06.2014 under the signature of Special Secretary, Social Welfare Department, Government of Bihar, Patna, as contained in Annexure-10, by which service of the petitioner has been absorbed on the post of Clerk in Government Blind High School, Darbhanga in the pay scale of 5200-20200+ grade pay of ₹ 4200/- and the service of respondent No. 6, Mithilesh Kumar, who has initially been appointed as Assistant Instructor (Electronics) in Kamla Nehru Samaj Seva Sansthan, Viklang Punarvas Prashikshan Kendra, Buddha Colony, Patna (hereinafter referred to as 'Kamla Nehru Sansthan') by Office Order No. 57, dated 07.12.2010 issued vide Memo No. 2449, dated 07.12.2010 under the signature of Deputy Secretary, Social Welfare Department, Government of Bihar, Patna, as contained in Annexure-4, in the pay scale of 5200- 20200 + grade pay of 1900/-, has been absorbed on the post of Clerk in Government Blind High School, Patna in the same pay scale.



(ii) For commanding the respondents to absorb the services of the petitioner on the post of Clerk in Government Blind High School, Patna in place of Government High School, Darbhanga in the pay scale of 5200-20200 + grade pay of ₹ 4200/- in accordance with the recommendation made by the Assistant Director, District Social Security Cell, Patna by his letter No. 228, dated 16.05.2013, as contained in Annexure-7 as well as the Headmaster, Government Blind High School, Kadamkuan, Patna. By his letter No. 105/13, dated 22.07.2013 forwarded by the Assistant Director, District Social Security Cell, Patna by his letter No. 321, dated 29.07.2013, as contained in Annexure-8 as well as taking into consideration the physical disability and suitability of the petitioner for the post of Clerk, Government Blind High School, Patna.

(iii) For grant of any such other relief or reliefs, for which the petitioner is found to be legally entitled in the facts and circumstances of the case.”

In view of the averments made in the counter affidavit and more specifically that the petitioner's grievances stood redressed with his absorption on the post of Clerk in the Government Blind High School, Patna, the present petition is stated to have become infructuous.



As such, the present petition stands disposed of as
having become infructuous.

Interlocutory application(s), if any, shall stand disposed
of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Prakash/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

