

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10412 of 2021

1. Vivekanand Sah Son of Raj Kumar Sah Resident of Village- Madhubani, Police Station- Sadar, District- Muzaffarpur.
2. Rajeev Shankar Son of Shree Prakash Thakur Resident of Village- Madhubani, Police Station- Sadar, District- Muzaffarpur.
3. Amarjeet Kumar Son of Ramdev Bhagat Resident of Village- Karanpur tole kakrachak, Police Station- Bochahan, District- Muzaffarpur.
4. Munna Yadav Son of Tarakeshwar Prasad Yadav Resident of Village and Police Station- Gayaghat, District- Muzaffarpur.
5. Brijbhushan Kumar Son of Nagendra Singh Resident of Village- Mithar Sarai, Police Station- Ahiyapur, District- Muzaffarpur.
6. Alok Kumar Son of Lalbabu Ray Resident of Village- Madhua Mal, Police Station- Rajepur, District- East Champaran.
7. Chandan Kumar Son of Subodh Trivedi Resident of Village- Matalupur, Police Station- Piya, District- Muzaffarpur.
8. Arun Sahani Son of Panchu Sahani Resident of Village- Madhubani, Police Station- Sadar, District- Muzaffarpur.
9. Md. Rateque Son of Mohammad Taslim Ansari Resident of Village- Jhapan Dih, Police Station- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department.
2. The District Magistrate, Muzaffarpur.
3. The Additional Collector, Revenue Department, Muzaffarpur.
4. The Circle Officer, Kurhani Circle.
5. The Circle Officer, Mushahari Circle.
6. The Circle Officer, Bouchaha Circle.
7. The Circle Officer, Gayaghat Circle.
8. The Circle Officer, Minapur Circle.
9. The Circle Officer, Kanti Circle.
10. The Circle Officer, Bandra Circle.
11. The Circle Officer, Muroul Circle.
12. The Circle Officer, Sakra Circle.
13. The Circle Officer, Aurai Circle.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mrs. Mahasweta Chatterjee, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha, SC 19

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI



ORAL JUDGMENT

Date : 14-02-2022

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

In the instant petition, petitioners have prayed for the following relief(s):-

“(i) For commanding upon the Respondent Authority to conduct the for the purpose of competitive examination appointment to the post of Anchal Amin on the basis of the written syllabus prescribed in Rule 7 of the Bihar Amin Cadre Rules 2013 or 2016.

(ii) That an appropriate writ may be issued commanding upon the Respondent Authority to give preference to the petitioner as per the weightage given by the Respondent No. 3, the Additional Collector at the time of regular appointment.

(iii) That an appropriate writ may be issued commanding upon the respondent authority not to conduct the Competitive examination pursuant to Annexure-13 during the pendency of this writ application.

(iv) That an appropriate writ may be issued commanding upon the Respondent authority to allow the petitioners to continue in the service without replacing them by survey Amin till the regular appointment of Anchal Amin is made.

(v) That an appropriate writ may be issued commanding upon the Respondent authority to



pay the petitioners their total wages at the fixed rate prescribed by the State Government immediately without any delay for the period they have rendered service on daily wage basis.

(vi) Any other relief/ reliefs for which the petitioners are found entitled to.”

The grievance of the petitioners is covered by earlier decision of this Court dated 07.12.2021 passed in CWJC No. 2310 of 2020. Learned counsel for the petitioners vehemently contended that prayer no. 5 in the present petition is still subsisting and reads as under:-

“(v) That an appropriate writ may be issued commanding upon the Respondent authority to pay the petitioners their total wages at the fixed rate prescribed by the State Government immediately without any delay for the period they have rendered service on daily wage basis.”

In support of the aforesaid relief, there is no demand before the concerned respondent.

Therefore, the petitioners are at liberty to submit a detailed representation as to how they are entitled for wages and other monetary benefits. If such representation is submitted, the concerned respondent is hereby directed to pass speaking order as to why the petitioners are not entitled to monetary benefits. Such



order shall be passed and communicated to the petitioners. If the petitioners are entitled in that event the arrears of the amount shall be calculated and disbursed to the petitioners. The above exercise shall be completed within a period of four months from the date of receipt of this order.

With the aforesaid observations, the present writ petition as well as I.A. Nos. 01 of 2021 and 02 of 2021 stands disposed off.

At this juncture, learned counsel for the respondents pointed out that by virtue of order dated 07.12.2021 passed in CWJC No. 2310 of 2020, grievance of the petitioners' prayer no. 5 has been considered.

However, perusal of the same it is not evident that each of the petitioners' grievance relating to wages have been considered or not? Therefore, the concerned respondent is hereby directed to revisit in respect of prayer no. 5 is concerned. The above exercise shall be completed within a period of four months from the date of receipt of the petitioner's representation.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

