

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8203 of 2022

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Renu Devi W/o Ramjanam Sharma Resident of Vill- Bahawalpur, PS- Guraru,
Dist- Gaya, Bihar- 824118.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Bihar Legislative Council, through the Acting Chairman, Bihar Legislative Council, Bihar, Patna.
3. The Acting Chairman, Bihar Legislative Council, Bihar, Patna.
4. The Acting Secretary of Bihar Legislative Council Secretariat, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Haridayal Kumar, Adv
For the Respondent/s : Mr. Sanjay Kumar Ghosarvey AC to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-08-2022

In the second line of the order dated 05.08.2022, the word “laudable” has been inadvertently typed in place of “**audible**” and in the third line the word “sound” has been typed in place of “**voice**”.

Both the errors in the order dated 05.08.2022 being typographical in nature stands corrected and shall be read as “**audible**” in place of “laudable” and “**voice**” in place of “sound”.

Heard learned counsel for the parties.

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

- i. For issuance of an appropriate writ/s, order/s, direction/s commanding and directing the Respondent Authorities to fill the post of Secretary vacant for almost last 3 (three) years (since 01/02/2019 to till date) in Bihar Legislative Council Secretariat Patna that belongs to Judicial Service which has to be filled by the appoint made by the Hon'ble Governor of Bihar by way of deputation of officers of Bihar superior judicial services of the rank of District and Session Judge (Super Time Scale) as per the Bihar Legislative Council (Recruitment and service conditions) Rule-2018 (hereinafter referred to as Rule-2018 in short).
- ii. For issuance of any other relief/s for which the petitioner may entitled to, in the facts and circumstances of the present case,

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

Petition stands disposed of in the aforesaid terms.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate

proceedings.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA