

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5320 of 2021

-
1. Lipendra Kumar Son of Lakhi Prasad Resident of Village- Moddafarpur, P.O.- Daulatpur, District- Patna.
 2. Lalan Prasad Son of Rajendra Prasad Resident of Village- Harnathchak, P.O.- Bara, Block- Masaurhi, District- Patna.
 3. Kumari Pushpa Sinha Resident of Mohalla- Saristabad Purvi Tola, P.O.- Anisabad, P.S.- Gardanibagh, District- Patna- 2.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariate, Patna.
2. The Principal Secretary, Department of Human Resources Development, Bihar, Patna.
3. The Principal Secretary, Department of Personnel and Administrative Reforms, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mukul Jee
For the Respondent/s : Mr. Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 03-02-2022

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

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

“(i) To issue an appropriate order (s) /direction (s) to the respondents to appoint/ absorb the petitioners on the Class – III post in Government’s Service under different departments in the State in accordance with judgement dated 21.04.2011 passed in C.W.J.C. No. 8418 of 2010 (Sheo Bhajan Prasad Diwakar and others Versus The State of Bihar and others)

(ii) Direction be issued to the respondents to allow absorption in Govt. Service and their monetary claim in the



work of period as Adult and non-formal Education Programme.

(iii) And/or for grant of any other relief/reliefs for which the petitioners may be found entitled under the facts and circumstances of the case.”

3. The aforesaid relief is not supported by representation.

Petitioners have also not established as to how they have legal or statutory right in claiming the aforesaid relief followed by demand before the competent authority. In the absence of the aforesaid ingredients, the present petition cannot be entertained in the light of Apex Court decision in the case of *Mani Subrat Jain V. State of Haryana* reported in *(1977) 1 SCC 486*.

4. Accordingly, the present petition stands disposed off reserving liberty to the petitioner to prefer a detailed representation before the competent authority along with judicial pronouncements, if any, within a period of eight weeks from the date of receipt of this order. If such representation is submitted the competent authority is hereby directed to decide the petitioner’s grievance within a reasonable period of time.

5. With the above observation, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

