

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13581 of 2022

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Saurav Kumar Son of Mukesh Kumar Resident of Village and P.O.-Mirganj,
P.S.-Wazirganj, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Additional Chief Secretary, Finance Department, Govt. of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Department of Energy, Govt. of Bihar, Daroga Rai Path, Patna.
4. Bihar State Hydro Electric Power Corporation Ltd. through its Chairman, Sone Bhawan, 2nd Floor, Veer Chand Patel Marg, Patna.
5. The Managing Director, Bihar State Hydro Electric Power Corporation Ltd., Sone Bhawan, 2nd Floor, Veer Chand Patel Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bipin Bihari Singh, Advocate Mr. Shyama Kant Singh, Advocate
For the Respondent/s	:	Mr.Lalit Kishore, AG Pawan Kumar (AC to AG)
For Resp. Nos. 4 & 5		Mr. Mritunjay Kumar, Advocate

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

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 16-09-2022

Petitioner has prayed for the following relief(s):

“For issuance of an appropriate writ
in nature of MANDAMUS by commanding and



directing the respondent authorities for consideration and absorption of those employees, who are working in different Boards, Corporations and Public Sector Undertakings, whose services send on deputation in Govt./viable corporation in light of policy decision of State Govt. concerning permanent absorption as per order reiterated/referred in order-dated 06.04.2011 in C.W.J.C. No. 10016 of 2007, order-dated 09.09.2015 in C.W.J.C. No. 19080 of 2014, Clause 4C(1) of State Litigation Policy for grant of same and similar benefits to all identical and in light of State Resolution in Memo No. 52 dated 14.03.2018 in order to absorption of employees, who are on deputation on same post from the date of communication as well as provides similar treatment/benefit as provided to similarly situated and an identical in larger interest to facilitate the claims of all, purposes to avoid unnecessary litigations and for the other necessary relief/reliefs on the basis of the facts and circumstances of the case as discussed, enumerated and stated hereinafter.”

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate



forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

It stands clarified that all issues of fact and law are left open to be agitated by the competent authority.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	20.09.2022
Transmission Date	

