

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1143 of 2019

In
Civil Writ Jurisdiction Case No.14912 of 2019

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Ramashray Singh Son of Late Rajendra Singh Resident of House No. 60, H/o Jagdish Prasad Singh, Road No. 15, Indrapuri, Patna at present residing at Mohalla- Road No. 8B, House No. 2B/202, Indrapuri Colony, P.o. and P.S.- Keshari Nagar, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Secretary, Science and Technology Department, Govt. of Bihar, Vishwaishwaraiya Bhavan, Bailey Road, Patna.
2. The Special Secretary Science and Technology Department, Bihar, Patna.
3. The Director Science and Technology Department, Government of Bihar, Vishwaishwaraiya Bhavan, Bailey Road, Patna.
4. Managing Director Bihar State Agro-Industries Development Corporation Limited, Sinha Library Road, Patna.
5. The Director Bihar Institute of Technology, Sindri, District- Dhanbad, Jharkhand.
6. The Director Technical Education, Science and Technology Department, Government of Bihar, Vishwaishwaraiya Bhawan, Bailey Road, Patna.
7. The Principal Polytechnic College Gaya.
8. The Accountant General Bihar, Beer chand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Kumar, Advocate
For the Respondent/s : Mr. Pushkar Narain Shahi, AAG 6

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE RAJIV ROY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 26-07-2022

Heard learned counsels for the parties.

2. There is typographical error in order dated 11.07.2022 wherein order no. "2" has been wrongly mentioned in



place of order No. “3”. Let the order number in order dated 11.07.2022 be read as order No “3”.

3. In the instant appeal, appellant has assailed the order of the learned Single Judge dated 25.07.2019 passed in C.W.J.C No. 14912 of 2019. He is an employee of Bihar State Agro Industries Development Corporation Limited (for short “Corporation”). His services were drafted on deputation to the post of Lecturer in the Government Polytechnic College, Gaya. As an employee of the Corporation, he is seeking certain service benefits which is available to the Lecturer in Government Polytechnic College like age of retirement at the age of 60 years and other consequential benefits like time bound promotion etc.

4. The appellant is not entitled to have the benefit of service condition which is available to Lecturer in Government Polytechnic College, Gaya. He is entitled to have the service benefits only in the Corporation which is parent organization. If their parent organization have adopted age of retirement at the age of 60 years and policy decision relating to extending time bound promotion and other service benefits by virtue of resolution or order passed by the Corporation, in such circumstances, he is entitled. In other words, while he was on deputation, he is not entitled to have service condition as if he is a permanent employee



of the Government Polytechnic College, Gaya. The appellant has not apprised this Court that his services were absorbed in Government Polytechnic College, Gaya so as to examine whether is he entitled to the service conditions which are available to regular Lecturer in the Government Polytechnic or not? In view of these facts and circumstances, no interference is called for in respect of learned Single Judge order dated 25.07.2019 passed in C.W.J.C. No. 14912 of 2019.

5. Accordingly, appeal stands dismissed.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

GAURAV S./-

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CAV DATE	
Uploading Date	01.08.2022
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