

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16593 of 2021

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1. Bihar State Prisons Non-Gazetted Employees Association through its President Sri Ashutosh Kumar, aged about 52 yrs, S/o Akhileshwar Prasad Roy, Resident of Rajendra Prasad Lane, Durga Ashram Gali, Sheikhpura, Patna-800014, Bihar.
 2. Ashutosh Kumar, S/o Akhileshwar Prasad Roy, Resident of Rajendra Prasad Lane, Durga Ashram Gali, Sheikhpura, Patna-800014, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
4. The Principal Secretary, Finance Department, Government of Bihar, Patna.
5. The Inspector General, Prisons and Correctional Services, Bihar.
6. The Joint Secretary cum Director (Administration), Bihar, Prisons and Correctional Services Inspectorate, Home Department (Prisons), Patna.
7. The Jail Superintendent of all the Jails of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Siddhartha Prasad
For the Respondent/s : Mr.P.K. Verma (Aag3)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-11-2023 The present writ petition has been filed seeking the following reliefs:-

“1(a). To issue writ in the nature of mandamus commanding the respondents to specifically define the duties/role/responsibilities of clerks including Lower Division Clerk, Upper Division Clerk and Head Clerk working in different jails of Bihar and further directing the respondents to take work from them accordingly.



(b) To issue writ in the nature of mandamus commanding the respondents not to take such work from clerks of different jails of Bihar which have been specifically prevented and to take those work from them which have been specifically assigned for by the department/State Government from time to time.

(c) To issue writ in the nature of mandamus commanding the respondents to create the post of Office Superintendent or Assistant Executive Officer in Bihar Prisons and Correctional Services Clerks Cadre as existing in different clerical cadres of the State so that the clerks including Lower Division Clerk, Upper Division Clerk and Head Clerk working in different jails of Bihar get one more promotional avenue.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the individual employees working as Clerks in various Jails of the State of Bihar to approach the Inspector General, Prisons and Correctional Services Bihar, Patna i.e. the Respondent No. 5 for redressal of their individual grievances, as aforesaid. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner No. 2 approaches the Respondent No. 5, by filing appropriate representation, within a period of four weeks from today, the same shall be disposed off by a reasoned and a speaking order, in accordance



with law, within a period of eight weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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