

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2510 of 2021

1. Manoranjan Singh Son of Late Ram Kishore Singh Resident of Village-Alawalpur, P.O. Alawalpur, P.S. Gaurichak, District- Patna.
2. Md. Tauheed Alam Son of Md. Yasin Resident of Village- Kander, Post-Sagarpur, P.S.- Makhdumpur, District- Jehanabad.
3. Md. Israil Ansari Son of Md. Abdul Razak Ansari Resident of Ward No.32, Zafarganj, P.S. and District- Jehanabad.
4. Paras Prasad Singh @ Parasnath Singh Son of Satydeo Singh Resident of Village- Kapasi, P.S.- Karndey, District- Sheikhpura.
5. Satyendra Prasad Singh @ Satyendra Singh Son of Tarni Singh Resident of Village- Rasalpur Hatiawan, P.S. and District- Sheikhpura.
6. Virendra Singh @ Birendra Singh Son of Anup Singh Resident of Village-Sona Gopalpur, P.S. Gopalpur, District- Patna.
7. Uma Shankar Prasad Son of Chiranjivi Prasad Resident of Village-Jayakishun Bigha, P.O. Jaitipur Kurua, P.S. Ghoshi, District- Jehanabad.
8. Abdul Hafiz Khan Son of Late Abdul Majid Khan Resident of Village-Mohil Sherpur, P.O. and P.S.- Biharsharif, District- Nalanda at Biharsharif.
9. Md. Salauddin Son of Late Molvi Jakir Hussain Resident of Ward No.8, Mogal Kuan, P.O. and P.S. Biharsharif, District Nalanda at Bihar Sharif.
10. Md. Ashraf Ali Son of Late Maimuddin Resident of Ward No.03, Mahua Tola, P.O. and P.S.- Sohсарai, District- Nalanda at Biharsharif.
11. Md. Zaimul Abdin @ Md. Zainul Avedin Son of Md. Abdul Quddus Resident of Village- Chhajju Kharikua (Pipal Aran), P.O. and P.S.- Biharsharif, District- Nalanda at Biharsharif.
12. Motilal Chaudhari Son of Chhotelal Chaudhari Resident of Ward No.09, Khasganj Lohgani, P.O. and P.S. Sohсарai, District Nalanda at Biharsharif.
13. Md. Chand Khan Son of Md. Suleman Khan Resident of Kagzi Mohalla, P.S. Biharsharif, District Nalanda at Biharsharif.
14. Mahesh Prasad Sharma Son of Shideshwar Singh Resident of Village-Kachiyava, P.S.- Hilsa, District- Nalanda at Biharsharif.
15. Md. Zeyaul Haque Son of Md. Hanif Resident of Ward No.40, Khanquah, Kohnasaray, P.O. Biharsarif, P.S. Laheri, District Nalanda at Biharsharif.
16. Gulam Sabir Son of Moailvin Najmul Resident of Village- Parariya, P.O. Chandouli, P.S. Belaganj, District- Gaya.
17. Abdul Rashid Son of Late Abdul Shakoor Resident of Ward No.42, Mohalla Sherpur, P.O. Biharsharif, P.S. Laheri, District- Nalanda at Biharsharif.
18. Sazada Khatoon Widow/Wife of Md. Shekhawat Hussain Resident of Panderpala, B. Ploytachnic, P.S. Bishunpur, District Dhanbad, Jharkhand.
19. Sunaina Devi Widow/Wife of Chandrika Paswan Resident of Village-Biyawani, P.O. Maghra, P.S. Deepnagar, District- Nalanda at Biharsharif.



... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Principal Secretary, Department of Industry, Government of Bihar, Patna.
5. The Director, Directorate of Handloom and Silk, Department of Industry, Government of Bihar, Patna.
6. The Deputy Director, Directorate of Handloom and Silk, Department of Industry, Government of Bihar, Patna.
7. The Assistant Director, Directorate of Handloom and Silk, Department of Industry, Government of Bihar, Patna.
8. The Chief Executive Officer, Bihar Sharif Regional Handloom Weavers Co-operative, Union Limited, Gadhpar, Bihar Sharif, Nalanda-cum-General Manager, District Industry Centre, Nalanda, Bihar Sharif.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Respondent/s : Mr. Shankar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 12-12-2023

Heard Mr. Jeetendra Narayan, learned counsel
appearing on behalf of the petitioners and Mr. Shankar Kumar,
learned counsel for the State.

2. The petitioners claiming themselves to be Class III
and Class IV employees of the Bihar Sharif Regional Handloom
Weavers Co-operative Union Limited, which is registered under
the Bihar and Orissa Co-operative Society Act VI of 1935 by
Registrar, Co-operative Societies, Bihar, Patna. The object of the



aforesaid Union is said to develop the spirit of co-operation among the members and to co-ordinate their activities and to promote thrift and self-help and also to device ways and means for improved and marketable patterns and designs of handloom production etc.

3. It is submitted on behalf of the petitioners that despite the petitioners having been superannuated, the post retiral dues in terms of the resolution issued by the Department of Finance vide Memo No. 796 dated 02.02.2018, which relates to scheme formulated for employees of board/corporation/society, have not been confirmed.

4. A counter affidavit has been filed. Apart from others, it is submitted that the prayer of the writ petitioners cannot be considered under the writ jurisdiction, as the petitioners are the employees of Union as noted hereinabove.

5. Considering the facts that the petitioners are the employees of a Society, namely, Bihar Sharif Regional Handloom Weavers Co-operative Union Limited registered under the Societies Act, 1935, who have been fighting since long for their sustenance, it would be advisable to the petitioners to approach before the Principal Secretary, Department of Industry, Government of Bihar, who shall consider the claim of



the petitioners and direct the authorities to resolve the grievance of the petitioners, in accordance with law.

6. In view thereof, the present writ petition stands disposed of.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.12.2023.
Transmission Date	NA

