

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2514 of 2021

1. Bihar State Industrial Training Institute Employees Association, Bihar, Patna having its registered office at I.T.I. Digha Ghat, District-Patna, through its General Secretary, Premchand Kumar Sinha, aged about 46 yrs (Male), S/o-Late Arjun Singh, at present posted as Group Instructor in I.T.I. Digha Ghat, Patna.
2. Vinay Kumar, S/o Shri Tribhuvan Pd, President, Bihar State Industrial Training Institute Employees Association, Bihar, Patna, at present working as Group Instructor-cum-Associate N.C.C. Officer in I.T.I. Digha Ghat, Patna.
3. Premchand Kumar Sinha, S/o Late Arjun Singh, General Secretary, Bihar State Industrial Training Institute Employees Association, Bihar, Patna, at present working as Group Instructor in I.T.I. Digha Ghat Patna.

... .. Petitioners

Versus

1. The State of Bihar.
2. The Additional Chief Secretary, Labour Resource Department, Government of Bihar, Patna.
3. The Director, Employment and Training, Government of Bihar, Patna.
4. The Assistant Director, Directorate of Employment and Training (Estt.) (Training Wing), Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioners : Mr. Rajeev Kumar Singh, Adv.
For the State : Mr. Manoj Kumar, A.C. to G.P.-24

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

8 24-03-2023 In this case, learned counsel for the petitioner undertakes to remove the defects, if any within two weeks.

Subject to the above undertaking, this Court has heard
Mr. Rajeev Kumar Singh, learned counsel for the petitioners and
Mr. Manoj Kumar, learned A.C. to G.P.-24 for the State.

The petitioners in the present case are the Bihar State
Industrial Training Institute Employees Association, one Vinay



Kumar and Premchand Kumar Sinha who are working as Group Instructor-cum-Associate N.C.C. Officer in I.T.I., Digha Ghat, Patna. So far as petitioner no. 1 is concerned, the Association has neither disclosed the name of its members on whose behalf the writ application is being presented nor any court fee on that has been paid.

Learned counsel for the petitioners however submits at this stage that so far as the impugned orders are concerned, those were issued on or about 26.06.2020, almost 3 years are going to expire thereafter and the orders have already taken effect, hence, this writ application has become infructuous.

Having said so learned counsel submits that the petitioners may be granted a liberty to make a representation before the competent authority to impress upon them that transfers of the members of the Association be made only in accordance with the guidelines.

Learned counsel for the State submits that since this writ application has become infructuous, no argument remains to be made on behalf of the State.

Having regard to the submissions noted hereinabove, this Court is disposing of the present writ application holding that the writ application has become infructuous. So far as the



submission as to making of representation is concerned, this Court need not pass any order on this save and accept to say that such liberties are always there with the petitioners.

(Rajeev Ranjan Prasad, J)

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