

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2440 of 2018

1. Akhilesh Yadav Son of Late Kusum Lal Prasad Yadav, Resident of Village- Madhuban, P.S.- Simri Bakhtiyarpur, District- Saharsa.
2. Naresh Prasad, Son of Late Devnarayan Prasad, Resident of Village- Amwa Majhar Tola, P.S.- Mufassil Bettiah, District- West Champaran.
3. Ram Chandra Choudhary, Son of Chedi Choudhary, Resident of Village- Dabgar Tola, P.S.- Bagaha, District- West Champaran.
4. Shiv Kumar Manjhi, Son of Sohan Manjhi, Resident of Village- Chanayan Bandh, P.S.- Manjholia, District- West Champaran.
5. Ranjeet Kumar Singh, Son of Nathuni Singh, Resident of Village- Jagiraha, P.S.- Thakraha, District- West Champaran.
6. Subash Sah, Son of Raj Mangal Prasad, Resident of Village- Tali Mathiya, P.S.- Benkata, District- Deobaria U.P.
7. Dhaneshwar Prasad, Son of Late Dev Kisan, Resident of Village- Gokhula, P.S.- Sikarpur, District- West Champaran.
8. Shyam Kumar Rana, Son of Bhim Bahadur Rana, Resident of Village- Dumwalia, P.S.- Patkhaulia, District- West Champaran.

... .. 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 District Magistrate, West Champaran.
5. The Block Development Officer, Bagaha, West Champaran.
6. The Block Development, Bagha-II, West Champaran.
7. The Block Development, Thakraha, West Champaran.
8. The Block Development, Piprasi, West Champaran.
9. The Block Development, Ganuaha, West Champaran.
10. The Block Development, Ram Nagar, West Champaran.
11. The Child Development Programme Officer, Bagha-II, West Champaran.
12. The District Panchayati Raj Officer, Bettiha, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate Md.Imteyaz Ahmad, Advocate Mr. Arvind Kumar, Advocate
For the Respondent/s	:	Mr. P.K.Verma, AAG-3



Mr. Saroj Kumar Sharma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 04-12-2023

Heard Mr. Baxi S.R.P. Sinha, learned Senior Counsel for the petitioners and learned counsel for the State.

2. The present writ petition has been filed by the petitioners directing the respondents to regularize and confirm the services of the petitioners with effect from 27.06.2005 in the light of the Government Circular bearing letter No.7365 dated 29.06.2011 on the post of Jeep driver.

3. Learned counsel for the State submits that counter affidavit has come and in the counter affidavit the basis of the case, i.e., demand of regularization by virtue of Circular bearing letter No.7365 dated 29.06.2011, is now no more and in this view of the matter no relief could be granted to the petitioners by virtue of the said Circular.

4. Learned Senior counsel fairly submits that petitioners had earlier moved CWJC No.4758 of 2004 before this Hon'ble Court in which vide order dated 27.06.2005 relief was granted and respondents were directed to take necessary steps for filling up the posts of Jeep driver as early as possible against which post the petitioners were working and protection has been granted to the petitioners that till final selection the



petitioners have been directed for payment of minimum time scale of the post permissible in law for the Jeep drivers forthwith and not later than the period of six weeks from today. Counsel submits that petitioners have preferred MJC No.166 of 2007 in which vide order dated 28.08.2008 this Hon'ble Court has pleased to direct the authorities by virtue of which the minimum time scale is permissible was granted to the Jeep Drivers (petitioners).

5. Learned Senior counsel submits that in the light of said observation, the petitioners have still one remedy to file MJC to do the needful as steps for filling the posts of Jeep drivers has not been made till date.

6. In this background, counsel for the petitioners seek permission to withdraw the writ petition with liberty to take recourse under MJC.

7. Permission is granted.

8. With the above direction, this writ petition is disposed of.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NARF
CAV DATE	NA
Uploading Date	07.12.2023
Transmission Date	NA

