

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.231 of 2020

In
Civil Writ Jurisdiction Case No.5788 of 2018

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1. The State of Bihar.
 2. Secretary, State Board of Technical Education, Science and Technology Department, Bihar, Patna.

... .. Appellants

Versus

1. Gaurav Son of Shri Devendra Prasad Singh, Resident of At and P.O.-Khajurar, P.S.-Bhadaur, District-Patna.
2. Ashutosh Kumar, Son of Shri Raj Kumar Singh, Resident of Village Mainapatti, P.O.-Maheshwara, P.S.-Babubarhi, District-Madhubani.
3. Prem Kumar, Son of Shri Hare Krishna Choudhary, resident of Village Khutauna, P.O. and P.S. -Khutauna, District-Madhubani.
4. Bihar Public Service Commission, Patna through its Secretary.
5. Chairman, Bihar Public Service Commission, Patna
6. Secretary, Bihar Public Service Commission, Patna
7. All India Council for Technical Education, New Delhi, through its Secretary.

... .. Respondents

Appearance :

For the Appellants : Mr. Mritunjay Kumar, Advocate
For the Respondents : Mr. Abhinav Srivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI)

22 14-03-2024 The present appeal has been filed under Clause 10 of the Letters Patent of the Patna High Court Rules against order dated 14.10.2019 rendered by learned Single Judge in CWJC No. 5788 of 2018 whereby the learned Single Judge has allowed the petition and direction has been issued to the present appellants/original respondents to provide the job to the



petitioners on the basis of the recommendation of the Bihar Public Service Commission or to pay compensation of Rs. 5 crores to each of the petitioners.

2. Heard Mr. Mritunjay Kumar, learned Advocate for the appellants and Mr. Abhinav Srivastava, learned Advocate for the Respondents.

3. When the matter is called out, learned Advocate General has placed on record the notification dated 13.03.2024 issued by the concerned Department of the appellants / State. It is submitted that by way of the said notification now the original petitioners have been offered an appointment and they will be appointed on the concerned post. Learned Advocate General, therefore, urged that the appellants had already complied with the directions issued by the learned Single Judge and, therefore, this Appeal be disposed of accordingly.

4. On the other hand, learned Advocate appearing for the present Respondents/original petitioners submitted that now the State has issued notification on 13.03.2024 and, therefore, the State has implemented the direction. However, learned Advocate has requested that all the consequential benefits be given to the original petitioners.

5. We have considered the submissions canvassed by



the learned Advocates appearing for the parties. It has come on record that on 13.03.2024, the appellants/State have already issued notification and, therefore, now the original petitioners will be appointed on the concerned post. Thus, the appellants/ State have implemented the direction issued by the learned Single Judge and, therefore, the present appeal is required to be disposed of in view of the aforesaid development which has taken place during the pendency of the present appeal. It is open for the original petitioners to make representation for getting consequential benefits. As and when such representation is made, it is open for the appellants/State to consider the said representation in accordance with law.

6. Accordingly, this Appeal is disposed of.

(Vipul M. Pancholi, J)

(Sunil Dutta Mishra, J)

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