

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15130 of 2022

1. Ranjeet Kumar (PDD-239316) S/o Ram Lochan Bhagat Resident of Village- Loknathpur, P.O. Humayupur, P.S. and Prakhand- Bajpatti, District- Sitamarhi.
2. Priyanka Kumari (PDD- 243216) Wife of Ranjit Kumar, Resident of Village- Loknathpur, P.O. Humayupur, P.S. and Prakhand- Bajpatti, District- Sitamarhi.
3. Ramchandra Ram (PDD-049805) Son of Manikpur Musharniya, P.O. Adauli, P.S. and Prakhand- Prihar, District- Sitamarhi.
4. Anil Kumar Gupta (PDD- 049698) S/o Nagendra Prasad, Resident of Village- Parsa, P.O. Kumma, P.S. and Prakhand- Sursand, District- Sitamarhi.
5. Pradeep Kumar (PDD- 021113) S/o Balkrishna Mandal, Resident of Village and P.O. Bhawanipur(north), Ward No. 05, P.S. and Prakhand- Pratapganj, District- Supaul.
6. Aparna Ambastha, (PDD- 272995) D/o Nawal Kishor Prasad Resident of Village- Ganpataul, P.O. Mansoorchak, P.S. and Block- Mansoorchak, District- Begusarai.
7. Sujeet Kumar, (PDD- 233488) S/o Chandeshwar Thakur Resident of Village and P.O. Kafan Choudhry, Block- Bochahan, P.S. Hathauri, District- Muzaffarpur.
8. Arun Kumar, (PDD- 263512) S/o Jay Prakash Mahto Resident of Village and P.O. Kafan Choudhry, Block- Bochahan, P.S. Hathauri, District- Muzaffarpur.
9. Sanjay Kumar Sinha, (PDD- 297720) S/o Late Maheshwar Prasad Resident of Village- Seranchak, Ward No. 15, P.O. Lakhaminia, P.S. and Block- Balia, District- Begusarai.
10. Radha Rani, (PDD- 273233) D/o Nawal Kishore Prasad Resident of Village- Ganpataul, P.O. and P.S. and Block- Mansoorchak, District- Begusarai.
11. Sunil Kumar, (PDD- 212745) S/o Rupnarayan Yadav Resident of Village- Gopalpur, P.O. Mohanimandal, P.S. and Block- Suppi, District- Sitamarhi.
12. Jitendra Kumar Ram, (PDD- 028853) S/o Babulal Ram Resident of Village- Jogiyar, P.O. and P.S. and Block- Sidhwalia, District- Gopalganj.
13. Arun Kumar, (PDD- 173644) S/o Jaynarayan Singh Resident of Village- Mangolpur, P.O. and Block- Sidhwalia, P.S. Mohammadpur, District- Gopalganj.
14. Abhijit Kumar, (PDD- 206577) S/o Late Yadubir Prasad Resident of Village and P.O. Susta Madhopur, P.S. Sadar, District- Muzaffarpur.
15. Mukesh Kumar, (PDD- 183782) S/o Late Ram Bhagwan Pandit Resident of Village and P.O. Susta, P.S. Sadar, Block- Mushhari, District- Muzaffarpur.
16. Indra Bhushan Kumar, (PDD- 183620) S/o Jathu Pandit Resident of Village- Khairi, P.O. Waini, Block- Pusha, P.S. Waini (O.P.), District- Samastipur.
17. Suresh Kumar Ram, (PDD- 097078) S/o Rajendra Ram Resident of Village-



Salha, P.O. Jalalpur, Block and P.S. Sadar, Block- Mushahari, District- Muzaffarpur.

18. Rekha Kumari, (PDD- 079259) W/o Suresh Kumar Ram Resident of Village- Salha, P.O. Jalalpur, Block- Mushahari, P.S. Mushahari, District- Muzaffarpur.
19. Pawan Kumar, (PDD- 129519) S/o Surendra Das Resident of Village- Prabodhi Narendra, P.O. and P.S. Sarai, Block- Lalganj, District- Vaishali.
20. Pankaj Kumar Yadav, (PDD- 190287) S/o Late Katki Yadav Resident of Village and P.O. Kajhiya, Block and P.S. and District- Banka- 813103.
21. Ankit Raj, (PDD- 208918) S/o Ajay Kumar Dev Resident of Station Mohalla Kasba, P.O. and P.S. and Block- Kasba, District- Purnea.
22. Ravi Kumar, (PDD- 077472) S/o Dinesh Prasad Sah Resident of Village- Hanuman Chowk Kasba, P.O. and P.S. and Block- Kasba, District- Purnea.
23. Ravindra Kumar Yadav, (PDD- 265883) Son of Sitaram Yadav R/V Bishanpur Ward No. 13, P.O. Kuari, Block and P.S. Kursakanta, District- Araria.
24. Rekha Kumari Yadav, (PDD- 266339) W/o Ravindra Kumar Yadav R/V Bishanpur Ward No. 13, P.O. Kuari, Block and P.S. Kursakanta, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Chief Secretary.
2. The Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
3. The Principal Secretary, Co-operative Department, Government of Bihar, Patna.
4. The Director, Department of Planning and Development (Directorate of Economics and Statistics), Government of Bihar, Patna.
5. The District Magistrate, District- Sitamarhi.
6. The District Statistical Officer, Sitamarhi.
7. The District Magistrate, Muzaffarpur.
8. The District Statistical Officer, District- Muzaffarpur.
9. The District Magistrate, Vaishali.
10. The District Statistical Officer, District- Vaishali.
11. The District Magistrate, Gopalganj.
12. The District Statistical Officer, District- Gopalganj.
13. The District Magistrate, Supaul.
14. The District Statistical Officer, District- Supaul.
15. The District Magistrate, Samastipur.
16. The District Statistical Officer, District- Samastipur.
17. The District Magistrate, Begusarai.



18. The District Statistical Officer, District- Begusarai.
19. The District Magistrate, Purnea.
20. The District Statistical Officer, District- Purnea.
21. Teh District Magistrate, District- Araria.
22. The District Statistical Officer, District- Araria.

... ... Respondent/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate
For the Respondent/s : Mr.Vinay Kirti Singh (Ga2)
Mr.Sumant Kr. Singh, AC to GA-2

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 05-03-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of an appropriate order/direction in the nature of prohibition preventing the respondent authorities from cancelling the panel of appointed/selected candidates to the post of Accredited Statistical Volunteer (ASV) prepared by the Planning & Development Department in the year 2012-13.

(ii) For issuance of an appropriate order/direction prohibiting the authorities from engaging any other person other than the petitioners and others whose name appear in the panel of selected candidates for the purpose of discharging work as Accredited Statistical Volunteer (ASV) and immediately issue work order in their favour.



(iii) For issuance of an appropriate order/direction in the nature of mandamus directing the respondents to regularise the services of the petitioners as the nature of the work perform by them is permanent nature and be treated at par with the regular employees of the State Government.

(iv) To hold and declare that the cabinet decision taken on 07.06.2016 for recommending to cancel the selection list of the Accredited Statistical Volunteer (ASB) cannot be the basis for cancellation as the scheme is still continuing and the work of the petitioners is being discharge from other persons not in the panel and also who does not have necessary experience, qualification and training.

(v) For issuance of an appropriate writ/order/direction directing the respondents not to give effect implement the Cabinet Decision dated 07/06/2016 in regard to the petitioners (Accredited Statistical Volunteers) as far as abolishing their panel is concerned and if the recommendation has been acted upon and letter for abolishing the panel of the petitioners have been issued then to issue a writ of certiorari for quashing the said



letter.

(vi) For issuance an appropriate writ/order/direction in the nature of mandamus commanding the Respondents to make payments of monthly fixed emoluments to the petitioners.”

2. At the outset, the learned counsels for the parties have fairly pointed out that the writ petitions, filed by similarly situated incumbents have already stood disposed off without any interference with the Cabinet Resolution or with the order of the Planning Department, issued thereunder, one of such order being the one dated 24.01.2017, passed in CWJC No.11550 of 2016 (Shambhu Kumar and Ors. Vs. The State of Bihar and Ors.), which has also been upheld by the learned Division Bench of this Court in LPA No.535 of 2017 (Shambhu Kumar Vs. The State of Bihar and Ors.) and other analogous cases, by a judgment dated 17.04.2018, hence nothing survives for consideration in the present writ petition, thus the same be disposed off.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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