

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19206 of 2017

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Rekha Sinha Wife of Late Arun Kumar Sinha, Son of Late Jagdish Prasad,
Resident of Village - Mallepur Basti, P.O. and P.S. Malahpur, District - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar the Provident Fund Director, Bihar, Patna.
2. The Bihar State Construction Corporation Ltd. through its Managing Director, Khawaja Imali, Anisabad, Patna - 800002.
3. The Managing Director, Bihar State Construction Corporation Ltd. Khawaja Imali, Anisabad, Patna - 800002.
4. The Principal Secretary of Finance Dept. Govt. of Bihar.
5. The Hon'ble Patna High Court through its Registrar General, Patna, Bihar.
6. Mr. Nitesh More, Official Liquidator, I.B, Rabindra Sarani Gate No. 1, 7th Floor, Room no. 701, Kolkata - 700001.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 111 of 2015

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Sita Devi Wife of Late Madan Mohan Prasad, Resident of Mohalla- Khagaul Road, Yarpur, P.S.- Gardanibagh, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Chairman Bihar Rajya Industry Development Department, Patna
3. The Managing Director, Bihar Rajya Industry Development Department, Patna
4. The District Magistrate, Patna
5. The Work Incharge Officer, Bihar Scooter Ltd., Fatuha

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 19325 of 2016

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Mahindra Ram S/o Late Ramdeni Ram, Resident of village - Shihna, P.O. Nawdiha, P.S. Nawdiha Bazar, District - Palamu (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna.
2. The Secretary, Department of Water Resources Cum Chairman, Bihar State



Construction Corporation Limited, Patna.

3. The Bihar State Construction Corporation Limited, through its Managing Director and its Head Quarter at Khawaja Imli, Anisabad, Patna.
4. The Managing Director, Bihar State Construction Corporation Limited, Office at Khawaja Imli, Anisabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khawaja Imli, Anisabad, Patna.
6. Mr. Nitesh Kumar More, I.B., Rabindra Sarani, Get No. 1, 7th Floor, Room No. 701, Kolkata, 700001.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 17497 of 2017

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Amresh Kumar Thakur S/o late Thofalal Thakur Resident of Village P.O.-
Shubas Kesho, P.S.- Gayghat, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Old Secretariat, Patna, Bihar.
2. The Secretary, Department of Water Resources cum Chairman, Bihar State Construction Corporation Limited, Patna.
3. The Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna.
4. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
6. The Hon'ble Patna High Court through its Registrar General, Patna, Bihar.
7. Mr. Nitesh Kumar More, IB, Rabindra Sarani Gate No. 1, 7th Floor, Room No. 701, Kolkata-700001.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 21046 of 2018

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1. Siwan Cooperative Spinning Mill Karamchari Union and Anr
2. Lal Mahammad Mian, Secretary, Siwan Co-operative Spinning Mill Karamchari Union, Mohiuddinpur, Siwa Resident of Mohiuddinpur, P.S.- Muffasil, Siwan.

... .. Petitioner/s

Versus



1. The State Of Bihar and Ors
2. Industrial Development Commissioner cum Administrator, Siwan Co-operative Spinning Mills, Bihar, Pa
3. Director Handloom and Sericulture, Directorate Industries Department, New Secretariat, Patna.
4. Dy. Director of Industries Cloth Handloom and Sericulture, Directorate, New Secretariat, Patna.
5. Technical Officer Cloth Handloom and Sericulture, Directorate, Bihar, New Secretariat, Patna.
6. Managing Director Siwan Co-operative Spinning Mills Ltd. Khadi Gramdyog Bhawan East Gandhi Maidan,
7. General Manger, Siwan Co-operative Spinning Mill Aliganj, Siwan.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 384 of 2023

Vaidehi Devi Wife of Late Ganga Lal Das, Resident of Mohalla-Polo Road, Kaushal Nagar, qr. No.05, Police Station-Airport, Post office-G.P.O., Patna, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Finance Department, Government of Bihar, Patna.
2. The Managing Director, Bihar State Construction Corporation Ltd., Patna. (Sihchai Bhawan, Second Floor, Near Anishabad More, Patna.
3. Mr. Nitesh More, I.B, Rabindra Sarani, Gate No. 1 7th Floor, Room No. 701, Kolkata 700001.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5012 of 2023

Snajay Kumar son of Bisundeo Mochi @ Vishundev Mochi, Resident of Village-Raghopur, Patut, P.S. Rani Talab, District-Patna.

... .. Petitioner/s

Versus

Official Liquidator Bihar State Leather Industries Development Corporation Limited, Ministry of Corporate Affairs, Office of the Official Liquidator, High Court, Patna, Maurya Lok Complex, Block-A, 4th Floor, Dak Bunglow Road, Patna-800001.

... .. Respondent/s



with

Civil Writ Jurisdiction Case No. 11376 of 2023

Palakdhari Lal Das Son of Late Mahavir Lal Das, C/o Surendra Lal Das,
Resident of Gai Ghat (South Gali), Gulzarbagh, Patna 800007, present
address R/o 6/107, 1st Floor, Subhash Nagar, New Delhi - 110027.

... .. Petitioner/s

Versus

1. The Managing Director, Bihar State Small Industries Corporation Ltd.,
Indira Bhawan, 3rd Floor, Ram Charitra Singh Path, Patna.
2. The Secretary, Bihar State Small Industries Corporation Ltd., Indira
Bhawan, 3rd Floor, Ram Charitra Singh Path, Patna.
3. The Chief Accounts Officer, Bihar State Small Industries Corporation Ltd.,
Indira Bhawan, 3rd Floor, Ram Charitra Singh Path, Patna.
4. The Sales Manager, Ambapali, Bihar Emporium, Cannaught Place, Opposite
Hanman Temple, Baba Kharak Singh Marg, New Delhi-110001.
5. The Liquidator, High Court, Maurya Complex, A- Block, 4th Floor, Patna.
6. The Secretary, Water Resources Department, Secretariat Bailey Road, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 19206 of 2017)

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Respondent/s : Mr.Raghwendra Kumar, SC22

(In Civil Writ Jurisdiction Case No. 111 of 2015)

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Respondent/s : Mr.Avnish Nandan Sinha, Advocate

Ms.Anamika Kumari, AC to GP21

For Official Liquidator : Mr.Dr. Anand Kumar, Advocate

Mr. Rajan Prakash, Advocate

(In Civil Writ Jurisdiction Case No. 19325 of 2016)

For the Petitioner/s : Mr.Anil Kumar Choudhary

For the Respondent/s : Mr.Vinay Kirti Singh, Advocate

Mr. Venkatesh Kriti, Advocate, JC to GA2

For Official Liquidator : Mr.Dr. Anand Kumar, Advocate

Mr. Rajan Prakash, Advocate

(In Civil Writ Jurisdiction Case No. 17497 of 2017)

For the Petitioner/s : Mr.Anil Kumar Choudhary

For the Respondent/s : Mr.Satybir Bharti, Advocate

Ms.Kanupriya, Advocate

Mr.Abhishek Anand, Advocate

(In Civil Writ Jurisdiction Case No. 21046 of 2018)

For the Petitioner/s : Mr.Nalin Vilochan Tiwary, Advocate

For the Respondent/s : Mr.Subash Pd.Singh -GA3

(In Civil Writ Jurisdiction Case No. 384 of 2023)

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Respondent/s : Mr.Sarvesh Kumar (GP 24)

(In Civil Writ Jurisdiction Case No. 5012 of 2023)

For the Petitioner/s : Mr.Rohit Kumar Sharma, Advocate

For the Respondent/s : Mr.Alok Kumar Agrawal, Advocate



For Official Liquidator : Mr. Alok Kumar Agrawal, Advocate
(In Civil Writ Jurisdiction Case No. 11376 of 2023)
For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate
For the Respondent/s : Mr. Dr. Anand Kumar, Advocate
For Official Liquidator : Mr. Alok Kumar Agrawal, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

26 01-10-2024 Identical matter was subject matter of Writ Petition

(Civil) No. 932 of 2022 (Civil Original Jurisdiction before the

Hon'ble Supreme Court) and the same was decided on

03.09.2024 with the following direction and it reads as under:-

13. (i) With respect to Bihar State Construction Corporation Limited, both the State Governments are directed to expedite the process of identification, verification and quantification of dues of the employees and ensure that the same is cleared at the earliest, in any case, within a period of two months, failing which the Court will be compelled to take coercive measures against the defaulting State Governments.

(ii) The State of Bihar is directed not to await the outcome of the liquidation proceedings of Bihar State Construction Corporation Limited and will proceed to clear all the outstanding liability of the employees of the said corporation as



directed above.

(iii) Although substantial liability of BSIDC in the State of Jharkhand has been discharged by disbursement of Rs.42.78 Crores by the High Court as noted above but there still remains some liability to be cleared which may be done without any delay.

(iv) However, there is substantial liability due with respect to the employees located within the State of Bihar unit of BSIDC. The State Government of Bihar shall clear all such liabilities of the employees located in Bihar within a period of two months and submit a compliance report by the next date.

(v) The respective State Governments are directed to ensure payment of compensation to the families of the 329 deceased employees within a period of two months and submit a compliance report on or before the next date, failing which coercive measures may be taken against the respective State Governments.

2. In the light of the aforementioned direction of the Hon'ble Supreme Court petitioner's case shall be considered by the respective government/s and redress the grievance of the petitioner on par with the members of the *Bihar State Ardh*



Sarkari Arajpati Karamchari Maha Sangh.

3. Learned counsel for one of respondents pointed out that in CWJC No. 11376 of 2023 (S.No. 24.7) the respondent's company has not been arrayed as party in Writ Petition (Civil) No. 932 of 2022. Be that as it may, if the petitioner – Palakdhari Lal Das fulfills the requisite criteria on par with members of *Bihar State Ardh Sarkari Arajpati Karamchari Maha Sangh*, his grievance is required to be equally considered on par with similarly situated persons. This may be taken note of by the concerned company/ State Government. Time limit stipulated by the Hon'ble Supreme court is aptly applicable to the present case also.

4. Accordingly, these petitions stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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