

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1183 of 2023

In
Civil Writ Jurisdiction Case No.18612 of 2019

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Mantu Kumar S/o Shiv Murat Sah Resident of Village Berukahi, P.S. Shiv Sagar, District-Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary General Administrative Department, Govt. of Bihar, Patna
3. The Commissioner Gaya.
4. The Collector Gaya cum Chairman Selection Committee Group Gha Posts Gaya.
5. The Additional Collector Gaya.
6. The District Development Commissioner Gaya
7. The District Welfare Officer Gaya
8. The Additional Collector Estb. Gaya
9. The Deputy Collector Establishment Gaya.
10. Kapil Kumar S/o Ram Ishwar Yadav R/o Nai Bazar Sahabazapur, P.O. Takya Karpi, P.S. Mahkar, District-Gaya, Presently residing at Mohalla-Katari Mor, P.S. Chanduti, District-Gaya
11. Hardeo Prasad S/o Sri Ramdeo Mahto R/o Village-Prewa, Post-Bhadeji, P.S. Bodh Gaya, District-Gaya
12. Raj Kishore Prasad Son of Late Rachhya Prasad R/o Village-Mubarkpur, Post Puriya, P.S. Paraiya, District-Gaya
13. Ramjivan Prasad Son of Sita Prasad R/o Village-Chamandi, P.S. Chakan Bazar, District-Gaya 5.Mahendra Prasad Son of Sita Prasad Village P.G. Marg Chamandi, P.S. Chakan bazar, District-Gaya.
14. Mahendra Prasad Son of Sita Prasad R/o Village-Chamandi, P.S.-Chakan Bazar, District-Gaya.
15. Raju Thakur Son of Late Shivnandan Thakur R/o Tarari, P.S. Konch, District-Gaya
16. Md Ishteyak S/o Late Md. Ekram R/o Village Bara, P.S. Chakand, District-Gaya

... .. Respondent/s

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with
Letters Patent Appeal No. 303 of 2020
In
Civil Writ Jurisdiction Case No.2332 of 2020

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Subhash Kumar Ram Son of Ganeshi Ram Resident of Village Kapura, Ward
No. 14, P.O.- Nand Babu, P.S. and District- Saharsa.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Principal Secretary General Administration Department, Bihar Old Secretariat Building, Patna
3. The Divisional Commissioner, Koshi Division, Saharsa
4. The District Magistrate, Saharsa
5. The District Collector, Establishment, Collectorate, Saharsa

... .. Respondent/s

with

Letters Patent Appeal No. 206 of 2021

1. Kapil Kumar Son of Late Ram Ishwar Yadav Resident of Nai Bazar Sahabazapur, Post Office - Takya Karpi, Police Station - Chandauti, District- Gaya
2. Hardeo Prasad Son of Shri Ramdeo Mahto Resident of Village - Prewa, Post Office - Bhadeji, Police Station - Bodh Gaya, District- Gaya
3. Raj Kishore Prasad Son of Late Rachhya Prasad Resident of Village - Mubarakpur, Post Office- Purihriya, Police Station - Praiya, District- Gaya
4. Ramjivan Prasad Son of Late Sita Prasad Resident of Village - Charmandi, Police Station - Chakan Bazar, District- Gaya
5. Mahendra Prasad Son of Sita Prasad Resident of P.G. Marg, Chamandi, Police Station -Chakan Bazar, District- Gaya
6. Raju Thakur Son of Late Shivnandan Thakur Resident of Village - Tarai, Police Station - Konch, District- Gaya
7. Md. Ishteyak Son of Late Md. Ekram Resident of Village - Bara, Police Station - Chakand, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar Through the Chief Secretary, Bihar, Patna
2. The Principal Secretary General Administrative Department, Government of Bihar, Patna
3. The Commissioner, Gaya
4. The Collector Gaya-cum-Chairman, Selection Committee Group Gha, Post Gaya
5. The Additional Collector, Gaya
6. The District Development Commissioner, Gaya
7. The District Welfare Officer, Gaya



8. The Additional Collector, Establishment, Gaya
9. The Deputy Collector, Establishment, Gaya.

... .. Respondent/s

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with

Letters Patent Appeal No. 1243 of 2023

In

Civil Writ Jurisdiction Case No.1308 of 2023

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1. Arvind Kumar Gupta Son of Ayodhya Prasad Gupta Resident of Village- Dumra, P.S.- Barki Mahauli, District- Rohtas, Bihar.
2. Mukesh Kumar Gupta, Son of Umashankar Sah Resident of Village and Post- Kewarhi, P.S.- Kudra, District- Kaimur (Bhabhua), Bihar.
3. Raj Kumar Gupta, Son of Biseshwar Gupta Resident of Village and Post- Nawadih, P.S.- Indrapuri, District- Rohtas, Bihar.
4. Dineshwar Prasad Gupta, Son of Biseshwar Sah Village and Post- Nawadih, P.S.- Indrapuri, District- Rohtas, Bihar.
5. Rajesh Tiwari, S/o Ramchandra Tiwari Resident of Village and Post- Rajpur, P.S.- Natwar, District- Rohtas.
6. Md. Julkar Nain, S/o Md. Ebrar Resident of Mohalla- Imli Adam Khan, Post and P.S.- Sasaram, District- Rohtas.
7. Banarsi Kumar, S/o Late Mahabir Sah Resident of Village- Badka Gaon, Post- Mohandarwan, P.S.- Belawan, District- Kaimur (Bhabhua).
8. Kanhaiya Ram, S/o Prema Ram Resident of Village- Sheosagar, Post- Kirhindi, P.S.- Patadhi, District- Rohtas.
9. Ambika Sah, S/o Late Sheopujan Sah Resident of Village- Bahararh, Post- Karbandia, P.S.- Sasaram, District- Rohtas.
10. Santosh Kumar Singh, Son of Shailesh Kumar Singh Resident of Village- Mojari, P.O.- Torna, P.S.- Shiv Sagar, District- Rohtas.
11. Rabindra Kumar, Son of Late Gopal Ji Sah Resident of Village and P.O. and P.S.- Darigaon, District- Rohtas, Bihar.
12. Pradeep Kumar, Son of Rajendra Thakur Resident at Karansarai, Sasaram, Post and P.S.- Sasaram, District- Rohtas, Bihar.
13. Kamlesh Kumar Dubey, Son of Pramod Dubey Resident of Village- Agini, Post- Sikariya, P.S.- Darigaon, District- Rohtas, Bihar.
14. Bhagwan Prasad, Son of Sarju Prasad Resident of Village- Machwar, Post- Malwar, P.S.- Sheosagar, District- Rohtas, Bihar.
15. Dwarika Prasad, S/o Late Rajbali Ram Resident of Village- Karup, Post- Malwar, P.S.- Sheosagar, District- Rohtas, Bihar.
16. Ram Sakal Singh, Son of Jagbali Singh Resident of Village Akashi, Post- Moka, P.S.- Agrer, District- Rohtas, Bihar.
17. Saroj Kumar, Son of Vir Bahadur Singh Resident of Village Sheobahar, Post- Dawath, P.S.- Suryapura, District Rohtas, Bihar.



18. Md. Javed Gulsan, Son of Asaraf Hussairi Resident of Village- P.O. and P.S. Dinara, District Rohtas, Bihar.
19. Md. Prawez Akhtar, Son of Md. Asarf Hussairi Resident of Village and Post-Dinara, P.S. Dinara, District- Rohtas, Bihar.
20. Arbind Kumar Singh, Son of Kadar Singh Resident of Village - Berukahin, Post- Konar, P.S. Sheosagar, District- Rohtas, Bihar.
21. Sribhagwan Ram, Son of Chattu Paswan Resident of Village - Berukahin, Post -Konar, P.S.- Sheosagar, District- Rohtas, Bihar.
22. Chhathu Kumar, Son of Kanhaiya Singh Resident of Village - Berukahin, Post - Konar, District - Rohtas, Bihar.
23. Ajay Kumar Singh, Son of Ramparsan Singh Resident of Village and Post-Badki Kharari, P.S. Kargahar, District- Rohtas, Bihar.
24. Md. Anwar Alam, Son of Anamudhin Ahmad Resident of Village and Post-Dinara, P.S.- Dinara, District- Rohtas, Bihar.
25. Lalita Devi, D/o Late Ram Prasad Singh esident of Village- Karup, Post-Malwar, P.S.- Sheosagar, District- Rohtas, Bihar.
26. Dharmendra Kumar Gupta, Son of Rajendra Sah Resident of Village-Barukahin, Post- Konar, District- Rohtas, Bihar.
27. Md. Haider, Son of Md. Sakir Resident of Village and Post and P.S. Dinara, District- Rohtas, Bihar.
28. Ranjan Kumar, Son of Chhotelal Prasad Resident of Village and Post- Kastar Mahadev, P.S. Bikramganj, District- Rohtas, Bihar.
29. Sujit Kumar, Son of Krishna Prasad Resident of Village and Post- Babhanj, P.S. Kargthr, District- Rohtas, Bihar.
30. Arun Kumar, Son of Vijay Prasad Resident of Village -Karan, Post Pachpokhari, P.S. Nokha, District- Rohtas, Bihar.
31. Rambali Sah, Son of Bansidhar Sah Resident of Village- Gurura, Post-Sakari, P.S. Kudra, District- Kaimur (Bhabhua), Bihar.
32. Kamlesh Kumar, Son of Janardan Prasad Singh Resident of Village-Barewan, Post- Maiwar, P.S. Sheosagar, District - Rohtas, Bihar.
33. Satyendra Choudhary, Son of Mokhtar Choudhary Resident of Village and Post- Belaur, P.S. Udwanth Nagar, District- Bhojpur (Ara), Bihar.
34. Rajesh Kumar, Son of Sharda Ram Resident of Village- Nasriganj, Post and P.S. Nasriganj, District- Rohtas, Bihar.
35. Binod Kumar, Son of Kapurchand Sah Village- Berukahin, Post - Konar, District - Rohtas.
36. Ramayan Sah, Son of Ram Prasad Sah Resident of Village- Berukahin, Post-Konar, District- Rohtas.
37. Satyendra Ram, S/o Rajeshwar Ram Resident of Village- Berukahin, Post-Konar, District- Rohtas.
38. Upendra Choudhary, S/o Wakil Choudhary Resident of Village and Post-Belaur, P.S. Udwant Nagar, District - Bhojpur (Ara).
39. Santosh Kumar Paswan, S/o Shivparasan Paswan Resident of Village-



Dumra, Post- Badki Mahuli, P.S. Karagahar, District- Rohtas.

40. Shyamji Paswan, S/o Bhikhari Paswan Resident of Village - Bhadhokara, P.O. Bhudhanroad, P.S. Darigaon, District - Rohtas.
41. Sandeep Kumar Chandan, S/o- Somaru Sah Resident of Village and Post - Chenari, P.S.- Dumari, District - Rohtas.
42. Bhola Prasad Gupta, S/o Mahendra Sah Resident of Village - Berukahin, Post - Konar, District - Rohtas.
43. Jai Prakash Gupta, S/o Kedar Sah Resident of Village and Post -Babhani, P.S. Kargahar, District - Rohtas.
44. Chhotan Kumar, S/o Mahendra Sah Resident of Village - Berukahin, Post - Konar, District - Rohtas.
45. Manohar Sah, S/o Kamta Sah Resident of Village - Ram Kekai, Post- Dumari, P.S. Sheosagar, District - Rohtas.
46. Radhe Shyam Singh, S/o Narayan Singh Resident of Village - Berukahin, Post - Konar, District - Rohtas.
47. Om Prakash Sah, S/o Kamta Sah Resident of Village- Ramkekayai, Post- Dumari, P.S.- Sheosagar, District- Rohtas.
48. Arvind Kumar, S/o Dinesh Singh Resident of Village- Berukahin, Post- Konar, District- Rohtas.
49. Dhananjay Kurnar, S/o Bansh Narayan Singh Resident of Village - Karhansi, Post- Prastampur, P.S. Natwar, District- Rohtas.
50. Gulam Sarwar, S/o Gulam Hussain Resident of Chhota Sekhpura, Post and P.S- Sasaram, District - Rohtas.
51. Anand Sharan Gupta, S/o Somaru Sah Resident of Village and Post - Dumari, P.S. Chenari, District - Rohtas.
52. Neeraj Kumar, S/o Satendra Sharma Resident of Village - Berukahin, Post - Konar, District - Rohtas.
53. Sonu Kumar, S/o Sumeshwar Singh Resident of Village - Berukahin, Post - Konar, District- Rohtas.
54. Vinod Yadav, S/o Late Rupchand Singh Resident of Village - Saidabad, Post- Muradabad, P.S.- Sheosagar, District - Rohtas.
55. Ritesh Kumar, S/o Sanmukh Singh Resident of Village- Saidabad, Post -Muradabad, P.S.- Sheosagar, District - Rohtas.
56. Sanjay Prasad, S/o Late Amawash Ram Resident of Village and P.O.- Hathini, P.S.- Nokha, District- Rohtas.
57. Sandeep Kumar, S/o Madan Prasad Resident of Village - Renhi, Post- Thanua, P.S.- Sheosagar, District- Rohtas.
58. Dasrath Singh, S/o Rajbansh Singh Resident of Village - Berukahin, Post - Konar, District - Rohtas.
59. Anil Kumar, S/o Suresh Singh Resident of Village - Ganeshpur, Post - Mamrejpur, P.S.- Chenari, District- Rohtas.
60. Dhananjay Tiwari, S/o Bansidhar Tiwari Resident of Village - Urda, Post - Chenari, P.S. Cherari, District- Rohtas.



61. Heeramuni Prasad, S/o Ramgahan Ram Resident of Village- Bartali Khurd, Post- Chandra Kaithi, P.S.- Chenari, District- Rohtas.
62. Raj Kumar Singh, S/o Narayan Singh Resident of Village- Berukahin, Post- Konar, District- Rohtas.
63. Bimlesh Kumar Tiwari, S/o Late Lal Bihari Tiwari Resident of Village - Doriyawan, Post - Morsaraya, P.S.- Sheosagar, District - Rohtas.
64. Pabitra Devi, W/o Balroop Singh Resident of Village - Chandi, Post- Akodhigola, P.S.- Dehri, District Rohtas.
65. Dhan Mohan Kumar, S/o Jagdish Sah Resident of Village - Berukahin, Post Konar, District - Rohtas.
66. Chanardhan Kumar Singh, S/o Ramnath Singh Resident of Village - Berukahin, Post - Kanar, District- Rohtas.
67. Ramesh Kumar Singh, S/o Suresh Singh Resident of Village- Kedar Chawari, Post and P.S. Dawath, District - Rohtas.
68. Vijay Kumar Singh, S/o Sipahi Singh Resident of Village - Patnawan, Post - Samardiha, P.S. Sasaram, District- Rohtas.
69. Devendra Kumar Choubey, S/o Munni Ji Choubey Resident of Village - Basantpur, Post- Dihi, P.S. Chenari, District- Rohtas.
70. Upendra Kumar Pandey, S/o Harishankar Pandey Resident of Village - Basantpur, Post- Dihi, P.S. Chenari, District - Rohtas.
71. Pritam Kumar, S/o Suryavansh Choubey Resident of Village - Basantpur, Post- Dihi, P.S. Chenari, District- Rohtas.
72. Ashok Singh, S/o Harikisun Singh Resident of Village - Choukhanda Chitauli, Post - Samardiha, P.S. Sasaram, District- Rohtas.
73. Nand Kishore Gupta, S/o Mohar Sah Resident of Village and Post- Ugahni, P.S.- Chenari, District- Rohtas.
74. Ashok Kumar, S/o Shankar Singh Resident of Village- Badua, P.S. Malwar, P.S. Sheosagar, District- Rohtas.
75. Pramod Kumar Gupta, S/o Dasarath Sah Resident of Village and Post - Ugahni, P.S. Chenari, District - Rohtas.
76. Krishna Kumar Sah, S/o Ramnaresh Sah Resident of Village - Berukahin, Post- Konar, District - Rohtas.
77. Haridawar Sah, S/o Late Haricharan Sah Resident of Village -Shiwan, Post - Dhanej, P.S. Karagahar, District - Rohtas.
78. Rakesh Kumar Singh, S/o Ramdayal Singh Resident of Village - Badka Gaon, Post- Mohandarwan, P.S. Belawan, District- Kaimur (Bhabhua).
79. Rajeshwar Singh, S/o Ramayan Singh Resident of Village - Chhatani, Post - Basahi (Basawan), P.S. Karagahar, District- Rohtas.
80. Lalsa Devi, Krishna Choudhary Resident of Village - Samahuta, Post - Udaypur, P.S. Sanjhouli, District - Rohtas at Sasaram.
81. Santosh Kumar Singh, S/o Nankhu Singh Resident of Village - Berukahin, Post- Konar, District- Rohtas.
82. Manmohan Singh, S/o Baban Singh Resident of Village - Berukahin, Post -



Konar, District - Rohtas.

83. Anil Kumar Gupta, S/o Heera Sah Resident of Village- Konar, P.S- Sheosagar, District- Rohtas.
84. Sunil Kumar Keshari, S/o Ashok Kumar Sah Resident of Village- Kumahu, Post- Morsarai, P.S.- Sheosagar, District- Rohtas.
85. Parvawati Devi, W/o Madan Ram Resident of Village Semari, Post Sikaria, P.S. Sheosagar, District - Rohtas.
86. Rakesh Ranjan Gupta, S/o Ram Narayan Sah Residing At - Takia Bazar, Post - Takia Bazar, P.S. Sasaram, District - Rohtas.
87. Nanda Devi, W/o Ashok Kumar Residing At - Chowk Bazar, Ward No.26, Post and P.S.- Sasaram, District- Rohtas.
88. Devendra Kumar Gupta, S/o Prabhanjan Sah Resident of Village - Kharhana, Post - Aktiarapur, P.S. Kargahar, District- Rohtas.
89. Sanjeet Kumar Sah, S/o Gupteshwar Sah Resident of Village and Post - Kurur, P.S. Karakat (Gorari), Distt- Rohtas.
90. Hirdyanand Paswan, S/o Ram Nagina Paswan Resident of Village- Berukahin, Post - Konbar, P.S. Sheosagar, District - Rohtas.
91. Vishwanath Ram, S/o Late Shiv Govind Ram Resident of Village and Post- Darigaon, P.S. Sasaram, District - Rohtas.
92. Uday Narayan Ram, S/o Santu Ram Resident of Village - Thorsan, Post- Torani (Lehra), P.S. Kargahar, District- Rohtas.
93. Keshnath Ram, S/o Antu Ram Resident of Village - Jigna, Post- Baraila, P.S. Sheosagar, District - Rohtas.
94. Rajesh Ram, S/o Aka Dashi Ram Resident of Village- Jigna, P.O- Baraila, P.S- Sheosagar, District- Rohtas.
95. Binay Kumar, S/o Baban Singh Residing At- Adarsh Colony, Baulia Road, Sasaram, Post and P.S.- Sasaram, District- Rohtas.
96. Santosh Kumar, S/o Dukhi Sah Resident of Village- Khanej, Post- Kargahar, District- Rohtas.
97. Sunil Kumar Singh, S/o Laxman Singh Resident of Village- Prastampur, Post - Karhansi, P.S. Natwar, District- Rohtas.
98. Abhishek Kumar, S/o Anil Kumar Singh Resident of Village - Choukhanda Chitauli, Post- Samardiha, P.S. Sasaram, District-Rohtas.
99. Asha Devi, D/o Baban Singh Resident of Village - Choukhanda Chitauli, Post- Samardiha, P.S. Sasaram, District- Rohtas.
100. Sachin Kumar, S/o Hira Ram Residing At - Ratubigha, Dalmianagar, ASF Colony, Post and P.S. Dalmia Nagar, District- Rohtas.
101. Chandrawati Devi, W/o Heeraram At - Ratubigha Dalmiangan, ASF Colony, Post and P.S. Dalmia Nagar, District - Rohtas.
102. Ravi Kumar, S/o Nirmal Sah Resident of Village - Berukahin, Post- Konar, P.S. Sheosagar, District - Rohtas.
103. Shyamjee Kumar, S/o Kedar Singh Resident of Village - Berukahain, Post- Konar, P.S. Sheosagar, District - Rohtas.



- 104 Ram Sakal Sah, S/o Rupī Sah Resident of Village - Rudrapura, Post -
. Jamuhar, P.S.- Dehri, District - Rohtas.
- 105 Mahendra Kumar, S/o Mundrika Singh Resident of Village- Choukhanda
. Citauli, Post- Samardiha, P.S.- Sasaram, District- Rohtas.
- 106 Dharmendra Kumar Singh, S/o Rajbansh Singh Resident of Village
. Choukharida Chitauli, Post- Samardiha, P.S.- Sasaram, District- Rohtas.
- 107 Mithilesh Kumar Singh, S/o Krishna Singh Resident of Village -
. Bishrampur, Post- Karvandiya, P.S. Sasaram, District- Rohtas.
- 108 Pramod Kumar, S/o Radheshyam Singh Resident of Village - Kalyanpur,
. Post - Shari, P.S. Karagahar, District - Rohtas.
- 109 Raj Kumar Gupta, S/o Doma Sah Village - Berukahin, Post- Konar, P.S.
. Sheosagar, District - Rohtas, Pin - 821113.
- 110 Arjun Ram, S/o Jagdish Ram Resident of Village and Post - Alampur, P.S.
. Sheosagar, District- Rohtas.
111. Upendra Kumar, S/o Satya Narayan Singh Residing At - Lakhnu Sarai, Post
and P.S.- Sasaram, District- Rohtas.
- 112 Kedar Prasad, S/o Ramchandra Prasad Resident of Village - Gayghat, Post-
. Karwandiya, P.S. Sasaram, District- Rohtas.
- 113 Rameshwar Pandit, S/o Gurucharan Pandit Resident of Village- Malawan,
. Post- Sikariya, P.S.- Darigaon, District- Rohtas.
- 114 Gaurav Kumar, S/o Rajendra Prasad Residing At- Kuraich, Mahavir Asthan,
. Ward No. 05, Post - P.S.- Sasaram, District- Rohtas.
- 115 Anil Kumar, S/o Fakira Prasad Residing At - Pathan Toll, Post and P.S.-
. Sasaram, District- Rohtas.
- 116 Sonu Kumar Sah, S/o Ramkeshwar Sah Resident of Village - Bilashpur,
. Post- Sadokhar, P.S.- Chenari, District- Rohtas.
- 117 Om Prakash Singh, S/o Harikishun Singh Resident of Village -Choudhanda
. Chitouli, Post Samardiha, P.S. Sasaram, District - Rohtas.
- 118 Mahtab Alam, S/o Rijwan Alam Residing At - Sherganj, Sasaram, Post and
. P.S.- Sasaram, District - Rohtas.
- 119 Lal Babu Kumar, S/o Nirmal Singh Resident of Village- Choukhanda
. Chitouli, Post- Samardiha, P.S. Sasaram, District - Rohtas.
- 120 Biswanath Singh, S/o Late Ramayan Singh Resident of Village- Telra, Post-
. Kirhiridi, P.S. Sheosagar, District - Rohtas.
- 121 Harendra Kumar, S/o Ramashish Sah Resident of Village - Berukahin, Post-
. Konar, P.S. Sheosagar, District - Rohtas.
- 122 Anil Kumar Gupta, S/o Nathuni Sah Resident of Village - Berukahin, Post-
. Konar, P.S. Sheosagar, District -Rohtas.
- 123 Upendra Kumar Sah, S/o Ramashish Sah Resident of Village - Berukahin,
. Post- Konar, P.S. Sheosagar, District - Rohtas.
- 124 Pawan Kumar Dubey, S/o Ramakant Dubey Resident of Village-
. Chandrapura, Post - Torani, P.S. Sheosagar, District- Rohtas.
- 125 Md. Arif Anwar, S/o Md. Nasimuddin Resident of Village and Post and P.S-



- . Chenari, District- Rohtas.
- 126 Pankaj Kumar, S/o Ramdarash Sah Resident of Village - Berukahin, Post-
. Konar, P.S. Sheosagar, District - Rohtas.
- 127 Manoj Kumar, S/o Late Vishwanath Prasad Resident of Village- Post-
. Muradabad, P.S. Sasaram, District -Rohtas.
- 128 Jitendra Kumar, S/o Kameshwar Prasad Resident of Village- Bhaluari, Post-
. Badiha Shankarpuri, P.S. Indrapuri, District - Rothas.
- 129 Prem Kumar, S/o Vijay Kumar Gupta Resident of Village -Post -
. Karwandiya, P.S. Sasaram, District- Rohtas.
- 130 Vijay Kumar Gupta, S/o Late Suryabansh Sah Resident of Village and Post
. and P.S. - Sheosagar, District- Rohtas.
- 131 Nathuni Musahar, S/o Shiv Ratan Musahar Resident of Village -
. Mohmadpur, Post- Chhotaki Chenari, P.S. Sheosagar, District - Rohtas.
- 132 Chandrama Singh, S/o Late Rambilash Singh Residing At - Takiya Ward
. No.3, Post - Takiya Samiti, P.S. Sasaram, District- Rohtas.
- 133 Dharamdev Paswan, S/o Late Sheopujan Paswan Resident of Village -
. Niranjapur, Post-Karhansi, P.S. Natwar, District- Rohtas.
- 134 Krishna Kumar, S/o Sigasan Sah Village - Berukahin, Post- Konar, P.S.-
. Sheosagar, District - Rohtas.
- 135 Devmunni Paswan, S/o Megha Paswan Resident of Village- Kinerchola,
. Post- Dumari, P.S- Chenari, District- Rohtas.
- 136 Manoj Kumar, S/o Mahesh Ram Resident of Village Girdharlyan, Post and
. Thana- Sheosagar, District- Rohtas.
- 137 Santosh Paswan, S/o Devmuni Paswan Resident of Village- Kinerchola,
. Post- Dumari, P.S.- Chenari, District- Rohtas.
- 138 Laimuni Ram, S/o Jagdev Ram Resident of Village - Bilashpur, Post-
. Sadokhar, P.S.- Chenari, District- Rohtas.
- 139 Sanjay Prasad, S/o Late Chhotu Ram Resident of Village- Post- Mokar, P.S.
. Agrer, District Rohtas.
- 140 Vir Bahadur Ram, S/o Late Ramavtar Ram Resident of Village - Karahana,
. Post - Akhtiyarpur, PS - Kargahar, District -Rohtas.
- 141 Suresh Ram, S/o Late Purnawasi Ram Resident of Village -Gijwahi , Post -
. Karbandiya, P.S. Sasaram, District -Rohtas.
- 142 Satyendra Kumar, S/o Jagnarayan Ram Resident of Village - Banarasiya,
. Post - Morsarai, P.S. Sasaram, District - Rohtas.
- 143 Rakesh Kumar Singh, S/o Late Umesh Singh Resident of Village -
. Berukahin, Post- Konar, P.S. Sheosagar, District -Rohtas.
- 144 Dinesh Kumar, S/o Fakira Prasad Gupta Residing At - Pathantoli
. (Bhartiganj), Post- PS.- Sasaram, District- Rohtas.
- 145 Sachitanand Singh, S/o Ramji Singh Resident of Village- Chhatni, Post
. Basahi, P.S. Kargahar, District- Rohtas.
- 146 Atul Kumar Sinha, S/o Jai Shankar Prasad Sinha Resident of Village - Post-
. Badki Kharari, P.S. Kargahar, District- Rohtas.



- 147 Sanjay Kumar, S/o Ramashish Ram Resident of Village - Akashi, Post-
. Mokal, PS. Agrer, District - Rohtas.
- 148 Rajbansh Ram, S/o Shankar Ram Resident of village - Ojhwalia, Post -
. Turki, P.S. Kudra, District - Kaimur (Bhabhua).
- 149 Pancham Kumar Singh, S/o Ram Chandra Singh Resident of Village-
. Betarhi, Post- Moresarai, P.S. Darigaon, District - Rohtas.
- 150 Sanjay Kumar Gupta, S/o Shivpujan Sah Resident of Village -Post -
. Alampur, P.S. Sheosagar, District -Rohtas.
- 151 Shivjag Ram, S/o Lalan Ram Resident of Village - Kachnath, Post -
. Bakadih, P.S.- Sheosagar, District - Rothas.
- 152 Sonu Kumar, S/o Bhola Prasad Resident of Village- Post- P.S.- Sheosagar,
. Distt.- Rohtas.
- 153 Punam Devi, D/o Daroga Pandey Resident of Village- Diriyan, Post-
. Morsarai, P.S. Sheosagar, District -Rohtas.
- 154 Deep Narayan Gautam, S/o Late Bhagwan Ram Resident of Village -
. Sonbarsa, Post - SheoKhaira, P.S. Kargahar, District- Rohtas.
- 155 Akhilesh Tiwari, S/o Ramraj Tiwari Resident of Village - Mathhi, Post- P.S.-
. Chenari, District - Rohtas.
- 156 Satyadev Paswan, S/o Variwar Paswan Village - Baur, Post- Akhtiyarpur,
. P.S. Kargahar, District - Rohtas.
- 157 Sanjay Kumar, S/o Ramesh Prasad Resident of Village- Berukahin, Post-
. Konar, P.S.- Sheosagar, District- Rohtas.
- 158 Anil Kumar, S/o Baduri Prasad Residing at Khilanganj, Post - P.S.-Sasaram,
. District- Rohtas.
- 159 Chandeshwar Paswan, S/o Late Rajbali Paswan Resident of Village - Karup,
. Post -Malwar, P.S. Sheosagar, District- Rohtas.
- 160 Shinghasan Paswan, S/o Nathuni Paswan Resident of Village -Sonhar, Post-
. P.S. Sheosagar, District - Rohtas.
- 161 Kashi Kumar, S/o Dwarika Paswan Resident of Village- Karup, Post
. Malwar, P.S. Sheosagar, District - Rohtas.
- 162 Dharmendra Kumar, S/o Dwarika Paswan Resident of Village - Karup, Post
. - Malwar, P.S. Sheosagar, District -Rohtas.
- 163 Visheswar Puri, S/o Muneshwar Puri Resident of Village - Post- Torna, PS.
. Sheosagar, District- Rohtas.
- 164 Brajesh Kumar, S/o Late Anil Kumar Resident of Village - Post -Udaypur,
. P.S. Sanjhouli, District - Rohtas.
- 165 Arun Kumar Tiwari, S/o late Kameshwar Tiwari Resident Village-
. Berukahin, Post- Konar, P.S. Sheosagar, District- Rohtas.
- 166 Sunil Kumar, S/o Keshnath Ram Resident of Village- Jigna, Post- Baraila,
. P.S. Sheosagar, District - Rohtas.
- 167 Rahul Kumar Pandey, S/o Narendra Pandey Resident of Village - Bhabhan
. Barehta, Post- P.S.- Kargahar, District- Rohtas.
- 168 Dhanjee Pathak, S/o Radheshyam Pathak Resident of Village- Sivan, Post-



- . Dhanej, P.S.- Kargahar, District- Rohtas.
- 169 Nitish Kumar, S/o Murli Manohar Tiwari Resident of Village- Tiwarchak,
. Post- Nagwa, P.S.- Baubatpur, District- Patna.
- 170 Pankaj Kumar, S/o Ram Dashrath Singh Resident of Village- Berukahin,
. Post- Konar, P.S.- Sheosagar, District- Rohtas.
- 171 Hridyanand Prasad, S/o Babu Lal Sah Resident of Village- Sheosagar, Post-
. P.S.- Sheosagar, District - Rohtas.
- 172 Deepak Kumar, S/o Shidhnath Sharma Resident of Village - Beda, Post
. -Morsarai, P.S. Sasaram, District- Rohtas.
- 173 Sonu Kumar, S/o Late Ramekbal Singh Resident of Village - Loknathpur,
. Post - Dhanej, P.S. Kargahar, District -Rohtas.
- 174 Amit Kumar, S/o Sidharth Nath Sharma Village - Veda, Post - Morsarai, P.S.
. Sasaram, District- Rohtas.
- 175 Ravish Pathak, S/o Radheshyam Pathak Resident of Village- Sivan, Post-
. Dhanej, P.S. Kargahar, District- Rohtas.
- 176 Vivek Kumar, S/o Narendra Kumar Singh Resident of Village - Bheria, Post
. - Kharahna, P.S. Dehri- on -Sone, District - Rohtas.
- 177 Radhakrishna Pandey, S/o Harekrishna Pandey Resident of Village- Khaira,
. Post- Dumari, P.S- Chenari, District- Rohtas.
- 178 Binod Kumar Ram, S/o Naresh Ram Resident of Village -Post- Sabar,
. District- Kaimur (Bhabhua).
- 179 Subhash Kumar Rajak, S/o Shambhu Ram Rajak Resident of Village-
. Kadirganj, Post -Sasaram, P.S. Darigaon, District- Rohtas.
- 180 Surendra Kumar Chaudhary, S/o Late Kali Charan Choudhary Residing at
. Takiyagumti, Ward no.2, Post- P.S. - Sasaram, District - Rothas.
- 181 Manohar Kumar, S/o Kuber Ram Resident of Village - Post - Akhalspur,
. Post- Kaimur (Bhabhua), District- Kaimur (Bhabhua).
- 182 Sita Devi, S/o Narendra Singh Resident of Village - Berukahin, Post- Konar,
. P.S. - Sheosagar, District - Rohtas.
- 183 Ashok Kumar, S/o Sugriv Singh Resident of Village - Shivpur Chitauli,
. Post- Muradabad,P.S. Sasaram, District - Rohtas.
- 184 Kumari Ranjani Pandey, W/o Shivnandan Mishra Resident of Village-
. Panduka, Post- Parksha, P.S.- Chutia, District- Rohtas.
- 185 Dhanji Kumar Gupta, S/o Vijay Kumar Gupta Resident of Village- Baheri,
. Post- Aktiarpur, P.S.- Kargahar, Dist- Rohtas.
- 186 Kundan Kumar, S/o Ramayan Sah Resident of Village- Agani, Post-
. Sikariya, P.S.- Darigaon, District- Rohtas.
- 187 Manoj Kumar, S/o Dasrath Sah Resident of Village - Post- Ugahni, P.S.-
. Chenari, District- Rohtas.
- 188 Parwati Kuwar, S/o Late Mahesh Sah Resident of Village- Post -Raipurchor,
. P.S. Shivsagar, District- Rohtas.
- 189 Jitendra Sah, S/o Late Mahesh Sah Resident of Village -Post -Raipurchor,
. P.S. Shivsagar, District- Rohtas.



- 190 Kumari Punam Verma, W/o Rajan Kumar Resident of Village- Subhai, Post- Rahimpur, Jagdish, P.S. Vaishali, District -Vaishali.
- 191 Ajit Pandey, S/o Umashankar Pandey Village - Maldahan, P.O.- Sikror P.S.- Shivsagar, District- Rohtas.
- 192 Jitendra Paswan, Son of Mira Paswan Resident of Village - Shivpur Chitauli, Post- Muradabad, P.S. Sasaram, District - Rohtas.
- 193 Srinivas Sirigh, Son of Sugriv Singh Resident of Village - Shivpur Chitauli, Post- Moresaraj, P.S. Sheosagar, District- Rohtas.
- 194 Pankaj Kumar, Son Harikant Prasad Resident of Village- Nathpur, Post - Sultanpur, P.S. Fatuha, District - Patna.
- 195 Sanjeev Kumar Choursiya, Son of Haridwar Prasad Choursiya Resident at Bazar (Mochi Tola), P.O. - P.S.- Sasaram, District- Rohtas.
- 196 Raju Kumar, Son of Mahendra Choudhary Resident of Vill. Mohalla- Chawar Takiya, Ward No. 13, P.S.- Sasaram, District- Rohtas.
- 197 Mohan Kapar, Son of Sri Kailash Kapar Resident of Village- Lohkhar, P.S.- Hariulla, P.S.- Sonbarsa, District- Sitamarhi.
- 198 Mithilesh Kumar Singh, Son of Baleshwar Singh Resident of Village- Sindhi, P.O.- P.S. Karahgar, District- Rohtas.
- 199 Devanand Choudhary, Son of Ram Janam Choudhary Resident of Village- Doriyawan, P.O.- Mor Sarai, P.S. Sheosagar, District - Rohtas, Bihar.
- 200 Rakesh Kumar, Son of Ashok Kumar Resident of Village -Berukahi, P.O. Konar, P.S. Sheosagar, District - Rohtas.
- 201 Ranjeet Singh Yadav, Son of Mahangu Singh Yadav Village - P.O. Ughani, P.S. Chenari, District - Rohtas.
- 202 Hemant Kumar Tiwary, Son of Binay Kumar Tiwary Resident of Village- Berukahi, P.O. Konar, P.S.- Sheosagar, District- Rohtas.
- 203 Satyendra Kumar, Son of Ramdayal Prasad Resident of Village- Gajaundha, P.O- Baraila, P.S- Sivsagar, District- Rohtas.
- 204 Ravi Prakash, Son of Kanchan Choudhary Resident of village - PO. Kartha, P.S. Arnjhor, District - Rohtas.
- 205 Sunesh Kumar, Son of Kasi Nath Prasad Mistri Resident of Village - Mahapjan Toll, P.O. Sasaram, P.S. Sasaram, District- Rohtas.
- 206 Alok Shrivastav, Son of Jagarnath Prasad Resident of Village - P.O. Takiya, P.S. Sasaram, Ward No.3, District - Rohtas
- 207 Archana Sinha, Wife of Alok Shrivastav Resident of Village - P.O. Takiya, P.S. Sasaram, Ward No.3, District- Rohtas.
- 208 Rajesh Sah, Son of Late Chaturi Sah Resident of Village- P.O.- Pipra (Madan Rai), P.S.- Kargahar, District- Rohtas.
- 209 Rina Kumari, D/o Dasrath Sah Resident of Village - P.O.- Ughani, P.S.- Chenari, District - Rohtas.
- 210 Ravi Shankar Prasad, Son of Ram Nath Prasad Resident of Village - P.O. Muradabad P.S. Sasaram, District - Rohtas.
- 211 Pyare LaL Singh, Son of Yashwant Singh Resident of Mohalla - Purbi



- . Mohan Bigha, P.O. Dalmianagar, P.S.- Dehri, District- Rohtas.
- 212 Anil Kumar Gupta, Son of Late Banarsi Sah Resident of Village -Berukahi,
. P.O. -Konar, P.S.- Sheosagar, District- Rohtas.
- 213 Sanjay Singh, Son of Nathuni Singh Resident of Village -Sirhi, P.S.
. Kargahar, District- Rohtas.
- 214 Ramesh Kumar Sah, Son of Sugriv Sah Village -Berukahi, P.O. Konar, P.S.
. Sheosagar, District- Rohtas.
- 215 Sanjay Kumar, Son of Chhabinath Singh Resident of Village - Turki, P.O.
. Muradabad, P.S. Sasaram, District - Rohtas.
- 216 Jitendra Kumar Choudhary, Son of Late Kali Charan Choudhary Resident of
. Mohalla - Takiya Gumti, Ward No.2, P.O. P.S. Sasaram, District- Rohtas.
- 217 Bimla Devi, Wife of Ajay Kumar Singh Resident of Village- Pandeypur,
. P.O.- Naudha, P.S.-Indrapuri, District- Rohtas.
- 218 Lal Bahadur Ram, Son of Nathuni Ram Resident of Village- Kadai, P.O.-
. Kudra, P.S.- Kudra, District- Kaimur (Bhabhua)
- 219 Sumer Ram, Son of Wakil Ram Resident of Village- Belaspur, P.O.-
. Sadokhar, P.S.- Chenari, District- Rohtas.
- 220 Rajkeshwar Sah, Son of Moti Sah Resident of Village- Belaspur, P.O.-
. Sadokhar, P.S.- Chenari, District- Rohtas.
- 221 Laljit Singh, Son of Sheomukh Singh Yadav Resident of Village- Muri, P.O.-
. P.S.- Darigaon, District- Rohtas.
- 222 Annpoorina Kumari, Wife of Sanjeet Kumar Sah Resident of Village - P.O.-
. Kurur, P.S.- Karakat (Gorari), District- Rohtas.
- 223 Prem Kumar Tiwary, Son of Vijay Kumar Tiwari Resident of Village
. Berukahi, P.O.- Konar, P.S.-Sheosagar, District- Rohtas.
- 224 Rinki Kumari, D/o Dinesh Sah Resident of Village - Post- Samardiha, P.S.-
. Sasaram, District- Rohtas.
- 225 Parmeshwar Ram, Son of Hiralal Ram Resident of Village - P.O. Darigaon,
. P.S.- Darigaon (Sasaram), District- Rohtas.
- 226 Ramesh Kumar, Son of Basropan Singh Resident of Village -P.O.- P.S.-
. Ramgarh, District- Kaimur (Bhabhua).
- 227 Santosh Kumar Sah, Son of Balkeshwar Sah Resident of village- Suryadeo
. Nagar (Beda), P.O.- P.S.- Sasaram, District- Rohtas.
- 228 Yogendra Kumar, Son of Mahendra Singh Resident of Village- Telradh,
. P.O.- Kirhindi, P.S. - Sheosagar, District- Rohtas.
- 229 Chhotelal Paswan, Son of Mundrika Paswan Resident of Village -
. Bhadokhara, P.O.- Budhan Road Bhadhokhara, PS.- Darigaon, District-
Rohtas.
- 230 Manoj Kumar Tiwary, Son of Late Kameshwari Tiwary Resident of Village-
. Berukakhi, Post- Konar, P.S.- Sheosagar, District- Rohtas.
- 231 Rakesh Kumar Singh, Son of Rajgirirhi Singh Resident of Village-
. Choukhanda Chitauli, P.S.- Muffasil Sasaram, District - Rohtas.
- 232 Rajkali Devi, D/o Baijnath Prajapati Resident of Village- Baradih, P.O.-



- . Akothi Gola, P.S.- Akhothi Gola, District- Rohtas.
- 233 Prabhat Shankar Pandey, Son of Saryu Pandey Resident of Village- Pipra
. Khurd, P.O.- Babhani, P.S.- Karaghar, District- Rohtas.
- 234 Govind Shankar Pandey, Son of Saryu Pandey Resident of Village- Pipra
. Khurd, P.O.- Babhani, P.S.- Karaghar, District- Rohtas.
- 235 Mukesh Pandey, Son of Brij Kishore Pandey Resident of Village - Post-
. Paruhar, P.S.- Darihat, District- Rohtas.
- 236 Satish Kumar Tiwari, Son of Shreekant Tiwari Resident of Village-
. Kapatiya, P.O.- Dibya, P.S.- Kargahar, District- Rohtas.
- 237 Chandeshwar Singh, Son of Ramayan Singh Resident of Village- Kapatiya,
. P.O.- Dibya, P.S.- Kargahar, District- Rohtas.
- 238 Gopal Kumar, Son of Saryu Prasad Resident of Village- Sherganj, P.O. and
. P.S.- Sasaram, District- Rohtas.
- 239 Sudhir Kumar Sharma, Son of Hanmun Sharma Resident of Village-
. Kadirganj, Post- Sasaram, P.S- Darigaon, District- Rohtas.
- 240 Deena Kumar Ram, Son of Munshi Ram Resident of Village - P.O.-Sabar,
. P.S.-Sabar, District- Kaimur (Bhabhua).
- 241 Shiv Kumar Ram, Son of Shivnath Ram Resident of Village - P.O.- P.S.-
. Sabar, District- Kaimur (Bhabhua).
- 242 Ashutosh Kumar, Son of Dhruv Narayan Singh Resident of Village- Zaki
. Bigha Kanal Road, P.O.- Dalmiya Nagar, P.S.- Dehri , District- Rohtas.
- 243 Sanjay Kumar, Son of Gopal Sah Resident of Village- Nadawa, P.O.-
. Nadawa, P.S.- Natwar, District- Rohtas.
- 244 Pramod Kumar, Son of Late Ramanuj Ram Resident of Village- Zaki Bigha
. Kanal Road, P.O.- Dalmiya Nagar, P.S.- Dehri , District- Rohtas.
- 245 Ganesh Singh, Son of Radha Singh Resident of Village - P.O.- Karharsi,
. P.S.- Natwar, District- Rohtash.
- 246 Shallendra Kumar Pathak, Son of Late Gopal Jee Pathak Resident of
. Village- P.O.- Saishar, P.S- Dinara, District- Rohtash.
- 247 Md. Shamsad Khan, Son of Late Md. Alimudin Khan Resident of Village -
. P.O.- Ghusia Kalan, P.S.- Bikram Ganj, District- Rohtash.
- 248 Md. Irshad Khan, Son of Md. Alimuddin Khan Resident of Village- P.O.-
. P.S.- Bikramganj, District- Rohtash.
- 249 Nand Kumar Ram, Son of Late Deo Nandan Ram Resident of Village- P.O-
. Ghusiya Kalan, P.S- Bikramganj, District- Rohtash.
- 250 Ram Bachan Rakesh, Son of Late Ram Narayan Ram Resident of village-
. Yogeya, P.O.- Kajhaj, P.S- Bikaramganj, District- Rohtash.
- 251 Pradip Kumar Ram, Son of Late Ganakri Ram Resident of Village- P.O-
. Dangai, P.S- Bikramganj, District- Rohtash.
- 252 Bidhyawati Devi, Late Bisun Singh Resident of Village- P.O- Gotpa, P.S-
. Bikaramganj, District- Rohtas.
- 253 Jay Kishor Parsad, Son of Shekhar Parasad Resident of Village-
. Dalmianagar, P.O.- P.S- Dalmianagar, District- Rohtash.



- 254 Kunti Kumari, D/o- Rameshwar Pandit P.O- Sikhariya, P.S- Darigawn,
. District- Rohtash.
- 255 Muni Kumari @ Munni Devi, D/o Rajendra Saw Resident of Village-
. Karwandiya, P.S- Sasaram, District- Rohtash.
- 256 Nathuni Ram, Son of Late Basawn Ram Resident of village- Patari, P.S-
. Sheosagar, District- Rohtas at Sasaram.
- 257 Shakil Ahmad, Son of Vasiahmad Resident of Mohalla- Kabir Colony
. Kabirganj, P.S- Sasaram, District- Rohtas.
- 258 Chandra Prakash Prasad, Son of Nathuni Bhagat Resident of village-
. Dhangai, P.S- Bikramganj, District- Rohtas.
- 259 Satyandra Kumar Singh, Son of Sri Jaynath Singh Resident of Village -P.O-
. Ben Sagar, P.S- Sanjhauli Bhaya Karakat (Gurari), District- Rohtas.
- 260 Akhleshwar Kumar, Son of Bhaiya Ram Singh Resident of village-
. Karpurwa, P.S- P.O- Sasaram, District- Rohtas.
- 261 Nitu Kumari, Satyandra Bind Resident of Village- Banarasiya, P.O- Mor
. Saray, P.S.- Sasaram, District- Rohtas.
- 262 Parmila Kumari, Wife of Late Mahesh Sah Resident of Village- Berukahi,
. P.O- Konar, P.S- Shivsagar, District- Rohtas.
- 263 Upendar Kumar Singh, Son of Sri Ram Nath Resident of Village Berukhi,
. P.O- Konar, Police Station- Shivsagar, District- Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of General Administration, Bihar, Patna.
3. The Additional Secretary to the Government, Department of General Administration, Bihar, Patna.
4. The District Magistrate, Rohtas at Sasaram.
5. The Deputy Collector (Establishment), Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

(In Letters Patent Appeal No. 1183 of 2023)

For the Appellant/s : Mr.Ajay Kumar Sinha, Sr. Advocate
Mr.Veerendra Prasad, Advocate

For the Respondent/s : Mr.P.K. Verma (AAG-3)

(In Letters Patent Appeal No. 303 of 2020)

For the Appellant/s : Mr.Ajay Kumar Sinha, Sr. Advocate
Mr.Virendra Prasad, Advocate

For the Respondent/s : Mr.Shyam Bihari Singh, Advocate
Mr.P.K. Verma, AAG-3
Mr.Suman Kumar, AC to AAG-3

(In Letters Patent Appeal No. 206 of 2021)

For the Appellant/s : Mr.Ajay Kumar Sinha, Sr. Advocate
Mr.Virendra Prasad, Advocate



For the Respondent/s : Mr.Shyam Bihari Singh, Advocate
Mr.P.K. Verma, AAG-3
Mr.Suman Kumar, AC to AAG-3
(In Letters Patent Appeal No. 1243 of 2023)
For the Appellant/s : Mr.Ajay Kumar Sinha, Sr. Advocate
Mr.Virendra Prasad, Advocate
Mr.Shyam Bihari Singh, Advocate
For the Respondent/s : Mr.P.K. Verma, AAG-3
Mr.Suman Kumar, AC to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-02-2024

Yet another attempt of the State to regularise ‘*litigious employment*’ of casual appointments made illegally; squarely coming within the teeth of the binding declaration of the Hon’ble Supreme Court in *State of Karnataka v. Umadevi (3), (2006) 4 SCC 1* was struck down by the learned Single Judge and directions were issued to carry out a selection in consonance with Article 14 and 16 of the Constitution of India.

2. The appeals arise from a common judgment in three analogous writ petitions, passed by the learned Single Judge. All the writ petitioners, in the three writ petitions disposed of together, have not filed appeals. LPA No. 206 of 2021 arises from one of the writ petitions, disposed of by the common judgment; CWJC No. 18612 of 2019. LPA No. 303 of 2020 arises from a judgment of the learned Single Judge following the decision in CWJC No. 18612 of 2019; in CWJC



No. 2332 of 2020. LPA No. 1183 of 2023 is an appeal filed from the very same judgment with leave since a similar contention arises with respect to a different district. CWJC No. 515 of 2021 was disposed of after noticing the judgment in CWJC No. 18612 of 2019 and leaving liberty to the petitioners to either file a review in terms of the decision in *Shivdev Singh & Ors. v. State of Punjab AIR 1963 SC 1909* or an appeal with leave as permitted in *Ram Janam Singh v. State of Uttar Pradesh & Anr. AIR 1994 SC 1722*. The writ petitioners took recourse to the second remedy and filed the instant appeal. LPA No. 1243 of 2023 arises again from an identical disposal of CWJC No.1308 of 2023 which was tagged along with another analogous case.

3. We will refer to the documents in LPA No. 206 of 2021 which sought interference to the procedure of preparation of a panel, pursuant to Annexure-1 advertisement, without reference to and providing weightage for the persons included in the earlier panels. The advertisement produced as Annexure-1 in the writ petition was specifically with respect to the District of Gaya. LPA No. 303 of 2020 and LPA No. 1243 of 2023 agitates a similar cause with respect to the district of Saharsa, LPA No. 1183 of 2023 is with respect to the District of Rohtas.

4. Annexure-1 advertisement in the opening



paragraph relied on a decision of this Court in CWJC No. 2964 of 2009 and CWJC No. 19120 of 2010 for the purpose of proceeding for selection & appointment to the post of Class-IV posts in various departments/offices of Gaya district. The procedure followed, as indicated from the advertisement is to prepare a panel for the financial year, from which appointments were to be made, following reservation, to the vacancies available till date. Applications were to be submitted by interested and eligible candidates along with self-attested copies of certificates related to the educational qualification and work experience through registered post to the District Magistrate, Gaya.

5. The writ petitioners, the appellants herein, were specifically aggrieved with the earlier panel being ignored and the stipulation of work experience provided for prioritization in appointment, based on the office in which the applicants were employed on a casual basis and the number of days worked. Learned Single Judge commenced the judgment referring to Part III of the Constitution of India and the requirement of the State; coming within the definition under Article 12 of the Constitution of India, to ensure strict compliance of Articles 14, 16 and 21 insofar as ensuring equality in public employment which also is



further fortified by the obligation on the State to formulate policies ensuring equality in the matter of providing adequate means of livelihood; as exhorted in the Directive Principles of State Policy.

6. The learned Single Judge specifically noticed the manner in which the selection process was formulated so as to prepare a panel prioritizing appointment to those engaged as casual workers and lastly of those who did not have the opportunity to enter into such casual employment in each of the districts. Various decisions of the Hon'ble Supreme Court including that of *Uma Devi (supra)* was noticed by the learned Single Judge to find that the selection procedure, frustrated the principles of equality governing selection and appointment to public posts without disclosing the number of vacancies or posts and preparation of a panel prioritizing appointments to persons, who were casually employed; whose engagement on casual basis was also not established to be carried out after following a fair procedure giving equal opportunity to the general public,. The very selection process was found to be in blatant breach of constitutional guarantees under Articles 14 and 16 of the Constitution of India. It was emphasized that the Court exercising extraordinary power of judicial review under Article



226 of the Constitution of India cannot ignore such patent illegality and has a constitutional obligation to intervene, interfere and issue necessary directions to correct the manifest illegalities.

7. On the aforesaid findings amply supported by a wealth of precedents, the learned Single Judge found the very process of empanelment of casual employees for the purpose of appointment to regular posts in the State to be illegal and interfered with the selection process. It was opined that there could be reasonable weightage on a rational basis for those having work experience; garnered in an employment where selection was through a transparent process. It was also opined that holding of a written examination for those who had applied under the various notifications would be a fair procedure and based on the merit list prepared, there could be a selection and appointment made to vacancies which were available as on the date of advertisement.

8. We also notice that the learned Single Judge had specifically extracted the operative portion of the judgment in the writ petition; referred to in the opening paragraph of Annexure-1 advertisement, pertaining to the very same district of Gaya. The petitioners therein sought for employment to Class



IV posts asserting that they were empaneled earlier and should be appointed to the posts existing and also seeking a direction to restrain the respondents from making a fresh advertisement without exhausting the panel. This Court specifically found that consistently, it has been held that a panel prepared pursuant to an advertisement cannot be continued beyond one year nor can it be subsequently revived. An earlier decision of this Court was also referred to, again with reference to the district of Gaya, which held that the panels prepared earlier had outlived its utility. It was also directed that if vacancies remain afresh, the administration was obliged to issue a fresh notification and prepare a fresh panel. It is based on the aforesaid direction to prepare a panel that the present advertisement has been brought out, specifically providing that the panel would remain valid only for one year.

9. We are of the opinion that the mere direction to prepare fresh panels would not validate the exercise, if in the process of selection or empanelment, there is arbitrariness and violation of Part III of the Constitution of India; which has been found by the learned Single Judge.

10. We specifically notice the work experience as prescribed in the advertisement at Clause (7), which has been



detailed and extracted in the impugned judgment. Suffice it to notice that by Sub-Clause (1), the work experience of only daily wage earners who were working against those vacancies, for which District Officer, Gaya is the Selection Officer and the remuneration is paid from the funds of State of Bihar, were entitled to apply. Clause (2) provided for persons with minimum 240 days as eligible to have the first priority for empanelment.. The second priority was conceded; only in the situation of vacancies existing after those in the first priority are employed, to the employees working on daily wages in the collectorate, sub-division/block/circle offices. A third priority was then conceded to daily wagers in the Line Departments by Sub-Clause (4) and the applicants without any work experience were given 4th place in the merit list on the basis of age, which was the criteria of deciding seniority within any of the above categories; as per Clause (6). Even among the persons having identical work experience, preference for appointment was to be given to the older persons. The general public who had not obtained a 'litigious employment' were thus, in effect deprived even of a consideration.

11. We are of the opinion that the learned Single Judge rightly found that the prioritization made of casual



workers has no rationale and does not satisfy the principles enshrined under Articles 14 and 16 of the Constitution of India; which every citizen of India is guaranteed, especially in the matter of public employment. We reiterate, at the risk of repetition, that the learned Single Judge had found that there is nothing to indicate that the petitioners who are the daily wagers were so engaged after a fair procedure and a transparent selection process. We also queried the learned Senior Counsel and the counsel appearing for the appellants as to whether there is anything to indicate the nature of the appointment of the appellants as daily wagers or even the days spent on such engagement. Our queries did not evoke any response and there is nothing in the memorandum as to how the appellants came to be employed in the various districts and whether the same is after following a due procedure. We find absolutely no reason to interfere with the judgment of the learned Single Judge.

12. We have been told by the learned AAG-3, Mr. P.K. Verma, that pursuant to the judgment, the Government has directed all the applications to be forwarded to itself and the same has been transmitted to the Staff Selection Commission for conducting a written examination and preparing a merit list in accordance with which the selection and appointment will be carried



out. We only express a caution, insofar as weightage not being permissible to those persons who were engaged on daily wages, without a proper selection procedure followed. We caution the Staff Selection Commission and the Government on the specific distinction made of irregular and illegal appointments in *Uma Devi* (supra), a Constitution Bench decision. No illegal appointment, whatever be their period of employment would be enabled of any weightage. With the above observation, we reject the writ petition directing the State to carry out the procedure of selection as has been suggested by the learned Single Judge and our directions herein above.

13. The appeal stands dismissed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

Anushka/-

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