

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 5902 of 2024

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1. Vinay Kumar Son of Ramchandra Bhagat, Resident of Village- Balughat, P.S.-Town, District-Muzaffarpur.
 2. Dhananjay Kumar, Son of Sri Rajendra Prasad, Resident of Village- Betauna, P.S.- Benipatti, District- Madhubani.
 3. Mritunjay Kumar, Son of Late Akhileshwar Lal Das, Resident of Village- Betauna, P.S.- Benipatti, District- Madhubani.
 4. Sudhanshu Shekhar, Son of Late Jugal Kishor Prasad Singh, Resident of Village- VIP Colony, P.S.- Nawada, District- Nawada.
 5. Pravin Kumar Pandey, Son of Sudhir Pandey, Resident of Village- Kudhwa, P.S.- Chakmehsi, District- Samastipur.
 6. Chandra Bhanu Kumar, Son of Nandu Lal Prasad, Resident of Village- Badiatt, P.S.- Ben, District-Nalanda.
 7. Prem Kumar, Son of Bimal Kishore Prasad Sinha, Resident of Village- Babhan Digha, P.S.-Barbiga, District- Sheikhpura.
 8. Rajeev Ranjan, Son of Late Kanhaiya, Resident of Village- Gola Road, P.S.- Danapur, District- Patna.
 9. Rakesh Ranjan, Son of Hari Mohan Prasad, Resident of Village- Ayachigram, Muzaffarpur, P.S.- Ayachigram, District- Muzaffarpur.
 10. Ranjan Kumar, Son of Devendra Kumar, Resident of Village- Rampur, P.S.- Suryagadha, District- Lakhisarai.
 11. Pankaj Kumar, Son of Late Shailendra Prasad Singh, Resident of Village- Taranpur, P.S.- Gaurichak, District- Patna.
 12. Chandra Kant, Son of Nandu Lal Prasad, Resident of Village- Badiatt, P.S.- Ben, District-Nalanda.
 13. Sujit Kumar, Son of Late Sukhdew Saw, Resident of Village- Thali Bazar, P.S.- Govindpur, District- Nawada.
 14. Rajesh Kumar, Son of Ram Naresh Singh, Resident of Village- Shekhpur, P.S.- Ahiyapur, District- Muzaffarpur.
 15. Shiv Shankar Ray, Son of Hari Narayan Ray, Resident of Village- Lilari, P.S.- Baghaila, District- Rohtas.
 16. Vijay Kumar Ray, Son of Ramakant Ray, Resident of Village- Jamuaon, P.S.- Piro, District- Bhojpur.
 17. Laxman Singh, Son of Late Akshaywar Singh, Resident of Village- Masarh, P.S.- Udwanatnagar, District- Bhojpur.
 18. Rakesh Kumar, Son of Sri Rambabu Singh, Resident of Village- Vrindavan Nardarwa, P.S.-Kalyanpur, District- East Champaran.
 19. Chandan Kumar, Son of Sri Shibeshwar Prasad Verma, Resident of Village



Dalhatta Bazar, P.S.-Kotwari, District- Munger

20. Bipin Kumar Singh, Son of Shri Dudh Nath Singh, Resident of Village- Kanhauli, P.S- Darauli, District- Siwan.
21. Amrit Raj Bandhu, Son of Hriday Narayan Yadav, Resident of Village- Krishnapur, P.S- Kotwali, District- Munger.
22. Ashok Kumar Yadav, Son of Chandeshwari Prasad Yadav, Resident of Village- Dubiahi, P.S- Kishanpur, District- Supaul.
23. Rakesh Kumar, Son of Late Ram Bahadur, Resident of Village- Kerai, P.S- Bibhutipur, District- Samastipur.
24. Amit Kumar Ranjan, Son of Late Rajendra Prasad, Resident of Village- Binova Nagar Medical College, P.S.- Medical College, Gaya, District-Gaya.
25. Suman Kumar, Son of Late Ramawatar Singh, Resident of Village- Bandeya, P.S.- Makhdumpur, District- Jehanabad.
26. Shivendra Kumar, Son of Sri Kaushlendra Kumar Singh, Resident of Village- Gaurav Nagar, P.S.- Parwalpur, District- Nalanda.
27. Sujeet Suman, Son of Sri. Satish Kumar, Resident of Village- Moh, Bankipur Ganjpar, P.S.- Fatuha, District- Patna.
28. Ajay Kumar, Son of Late Raudi Mehto, Resident of Village- Sahorwa, P.S.- Sonbarsa, District- Sitamarhi.
29. Pankaj Kumar, Son of Sri Uma Shankar Prasad Singh, Resident of Village- Madhkaul, P.S.- Belsand, District- Sitamarhi.
30. Nitesh Kumar, Son of Late Balkrishna Prasad Singh, Resident of Village- Rampur, P.S- Surajga, District- Lakhisarai.
31. Lalit Kumar Singh, Son of Siv Shankar Singh, Resident of Village- Jarang Rampur, P.S.- Patedi Belsar, District- Vaishali.
32. Vikash Kumar Singh, Son of Binod Kumar Singh, Resident of Village- Nayatola, P.S.- Jamui, District- Jamui.
33. Rajeev Kumar, Son of Devendra Prasad Choudhary, Resident of Village- Athon, P.S.- Hiramma, District- Sheohar.
34. Anand Kumar Gupta, Son of Sri Shambhu Gupta, Resident of Village- Bhimpur, P.S.- Runnisaidpur, District- Sitamarhi.
35. Sumit Kumar Singh, Son of Alok Kumar Singh, Resident of Village-Tarbi, P.S.- Palasi, District-Araria.
36. Vivek Kumar Mishra, Son of Late Manoj Mohan Mishra, Resident of Village- Bahadurpur Ward no.- 27, P.S.- Samastipur, District- Samastipur.
37. Manoj Kumar, Son of Late Lakhan Poddar, Resident of Village- Asarganj, P.S.- Asarganj, District- Munger.
38. Bhaskar, Son of Late Birendra Prasad, Resident of Village- Laliatal, P.S.- Motihari, District- East Champaran.
39. Ashutosh Kumar, Son of Sri Ramawatar Sharma, Resident of Village- Barhpur, P.S.- Mohania, District- Kaimur.
40. Md Abunadar, Son of Shabique, Resident of Village- Chibin, P.S.- Araria, District- Araria.



41. Amrendra Kumar, Son of Late Harinarain Singh, Resident of Village- Mauri, P.S.- Paliganj, District- Patna.
42. Sanjay Kumar Mahto, Son of Sri Ram Raksha Mahto, Resident of Village- Pakri, P.S- Birpur, District-Begusarai.
43. Sanjeev Kumar Singh, Son of Shree Subendra Prasad Ray, Resident of Village- Nosara, P.S- Noorsarai, District- Nalanda.
44. Virendra Kumar, Son of Janardhan Roy, Resident of Village- Khorjam, P.S.- Deepnagar, District- Nalanda.
45. Jitendra Pandey, Son of Chandrika Pandey, Resident of Village- Bhikampur. P.S.- Akbarpur, District- Nawada.
46. Kausar Imam, Son of Abdul Khalif, Resident of Village- Govindpur, P.S.- Gorea Kothi, District- Siwan.
47. Uday Shankar Mishra, Son of Sri Umesh Mishra, Resident of Village- Koran Sarai, P.S.- Koran Sarai, District- Buxar.
48. Pankaj Kumar Jha, Son of Late Kumar Kant Jha, Resident of Village- Mahathur Goth, P.S.-Andhramath, District- Madhubani.
49. Ashok Kumar, Son of Late Gatish Chandra, Resident of Village- Hirapur JC Mallic Road, P.S.- Dhanbad, District- Dhanbad.
50. Nishant Kumar, Son of Late Parshuram Singh, Resident of Village- Birbigha, P.S.- Shakurabad, District- Jehanabad.
51. Pankaj Kumar, Son of Late Sant Kumar Shrivastava, Resident of Flat no.- 302, Mansarovar Apartment, Akashwani Road, Near- Passport Office, P.S.- Khajpura, District- Patna.
52. Ashok Kumar Sharma, Son of Late Vijay Bahadur Singh, Resident of Village- Babu Bazar, P.S.- Town Thana, District- Ara.
53. Subodh Kumar, Son of Somdutt Singh, Resident of Village- Sultanpur, P.S- Danapur, District- Patna.
54. Rajesh Kumar Singh, Son of Rajesh Kumar Singh, Resident of Village- Kauriya, P.S- Madhuban, District- East Champaran.
55. Sanjay Kumar Jha, Son of Hari Nandan Jha, Resident of Village- Visanpur, House no.- 29 Sikwine Colony, P.S- Hariharpur, District-Dhanbad.
56. Muneshwar Yadav, Son of Kishore Yadav Resident of Village- Gilani, P.S.- Sara, District-Nalanda.
57. Shambhu Mandal, Son of Late Rameshwar Mandal, Resident of Village- Ranhan, P.S.- Sikandar, District- Jamui.
58. Ajeet Kumar, Son of Mahendra Prasad Singh, Resident of Village- Denobaili School, P.S- Fri, District- Dhanbad At present, Resident of Village- Panditganj, P.S.- Kadirganj, District-Patna.
59. Santosh Kumar Singh, Son of Late Bashist Narayan Singh, Resident of Village- Pathakchak, P.S.- Sikandra, District- Jamui.

... .. Petitioner/s

Versus



1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, General Administrative Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
4. The Deputy Secretary, General Administrative Department, Government of Bihar, Patna.
5. Sushree Sunanda Kumari, Wife of not known to the petitioners, Deputy Collector Land Reforms, Sonpur, District- Saran.
6. Shreemati Megha Kashyap, Wife of not known to the petitioners, Deputy Collector Land Reforms, Mehnar, District- Vaishali.
7. Smt Pampi Rani, wife of not known to the petitioners, Deputy Collector Land Reforms, Barh, District-Patna.
8. Smt Soni Kumari, wife of not known to the petitioners, Deputy Collector Land Reforms, Sadar- Hajipur, District- Vaishali.

... .. Respondent/s

WITH

Civil Writ Jurisdiction Case No 19211 of 2024

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1. Kamal Nayan Kashyap S/o Uday Shankar, R/o- Maghra, PS- Deepnagar, Dist- Nalanda.
 2. Lovkesh Kumar, S/o Upendra Sharma, R/o Ward No 10, Maksudpur, P.S- Tekari, Gaya, Bihar.
 3. Ravi Shankar Sinha, S/o Jay Narayan Sinha, R/o- Village/Mohalla- Bhauradah P.S. Bahadurganj Dist- Kishanganj, Bihar.
 4. Subhendra Kumar Jha, S/o Khagendra Jha, R/o - Road No 10b, Sanjay Gandhi Nagar, Hanuman Nagar, P.S.-Bahadurpur, Sampatchak, Patna.
 5. Amit Kumar, S/o Ramjee Prasad, R/o Village- Kurkuri, PO and PS - Pulwari Sharif, Phulwari Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, General Administrative Department, Govt. of Bihar, Patna.
3. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
4. The Deputy Secretary, General Administrative Department, Govt. of Bihar, Patna.
5. Shri Kamal Kant Trivedi, S/o/ not known to the petitioner (Sl No 21 Memo No. 10719 dated 09/07/24) Annexure P/4 series, through Respondent No. 3,



The Additional Chief Secretary, Revenue and Land Reforms Department,
Govt. of Bihar, Patna.

6. Shri Amit Kumar, S/o/ not known to the petitioner (Sl No 19 Memo No. 17133 dated 22/10/24) Annexure P/4 series, through Respondent No. 3, The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
7. Shri Ayush Aanant, S/o/ not known to the petitioner (Sl No 20 Memo No. 17133 dated 22/10/24) Annexure P/4 series, through Respondent No. 3, The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
8. Shri Prashant Kumar, S/o/ not known to the petitioner (Sl No 21 Memo No. 17133 dated 22/10/24) Annexure P/4 series, through Respondent No. 3, The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
9. Shri Shashi Bhushan, S/o not known to the petitioner (Sl No 23 Memo No. 17133 dated 22/10/24) Annexure P/4 series, through Respondent No. 3, The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
10. Shri Mankeshwar Kumar S/o not known to the petitioner (Sl No 24 Memo No. 17133 dated 22/10/24) Annexure P/4 series, through Respondent No. 3, The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
11. Shri S Pratik, S/o not known to the petitioner (Sl No 25 Memo No. 17133 dated 22/10/24) Annexure P/4 series, through Respondent No. 3, The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
12. Shri Raghvendra Pratap Singh, S/o not known to petitioner, (Sl No 26 Memo No. 17133 dated 22/10/24) Annexure P/4 series, through Respondent No. 3, The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
13. Shri Shavan, S/o not known to petitioner, (Sl No 27 Memo No. 17133 dated 22/10/24) Annexure P/4 series, through Respondent No. 3, The Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No 5902 of 2024)

For the Petitioner/s : M/s Dinu Kr, Vardaan Mangalam, Ritika Rani,
Advocates

For the S t a t e : Mr Gyan Prakash Ojha, GA VII
Mr Abhishek Singh, AC to GA VII

(In Civil Writ Jurisdiction Case No. 19211 of 2024)

For the Petitioner/s : Mr. Shubhesh Pandey

For the Respondent/s : Mr. Standing Counsel (23)



CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL

ORAL JUDGMENT

Date : 19-06-2025

Since common issues are involved in both these writ petitions, therefore, both of them are being decided by this common order.

2 In both the petitions, all the petitioners herein are the officers on the post of Deputy Collector Land Reforms (for brevity, **DCLR**) and were promoted from the post of Revenue Officer/Circle Officer and in both the petitions, the private respondents, who are at present working as DCLR, are the officers of the Revenue Cadre.

3 The petitioners of both the petitions preferred these writ petitions challenging the posting of private respondents to the post of DCLR and claim their posting on the said post.

4 Brief facts of the case are that vide Government Resolution dated 28.01.2010 (Annexure P/1) in both the petitions, it was resolved that the officers of the Bihar Service shall be posted provisionally unless and until posts are not filled up by the lower grade working officers after completion of time bar. Clause 6 of the said resolution further provides that the officers of the Bihar Service shall be posted provisionally unless and until the



posts are not filled up by way of lower grade working officer after completing the prescribed period. Both the posts shall continue on provisional basis. Subsequently, Bihar Revenue Service Rules, 2010 (for brevity, *the 2010 Rules*) have been framed, Rule 4 of which prescribes that vacancy of the Circle Inspector will be counted every year from 01st April. According to the 2010 Rules, the post of DCLR shall be filled up from the post of Circle Inspector or equivalent post. The 2010 Rules were subsequently amended on 27.02.2019 and in the amended Rules, it is mentioned that the Circle Officer, Executive Magistrate and Assistant Settlement Officer/Consolidation Officer are in the hierarchy of Circle Officer and equivalent grade. In the hierarchy of DCLR and Grade 2 promotion level, the designation are mentioned in the following manner:

- (a) DCLR***
- (b) Assistant Director (Agriculture Census)***
- (c) Assistant Director, Survey Officer, Gulzarbagh***
- (d) Instructor, Consolidation Training Institute***
- (e) Instructor, Survey Training Institute and***
- (f) Additional District Land Acquisition Officer.***

5 The petitioners, in both the petitions, who were on the post of Circle Officer and equivalent post, were promoted to the post of DCLR (Annexure P/5), annexed in both the petitions. However, even after getting promotion on the post of DCLR, they were not posted on the said post. Instead of them, the private



respondents in both the petitions vide orders (Annexure P/4 series) annexed in both the petitions were posted on the post of DCLR. Hence, these petitions have been preferred by the petitioners.

6 I have heard learned counsel appearing for both the parties. Also gone through the documents annexed with the petition as well as the counter affidavit and the supplementary counter affidavit.

7 Undisputedly, the petitioners in both the petitions hold the post of Circle Officer and equivalent post. There is also no dispute on the point that they have already got promotion to the post of DCLR. There is also no dispute on the point that the private respondents, in these petitions, who were posted as DCLR, are the members of the Revenue Cadre.

8 In their counter affidavit dated 04.03.2025, Respondents No 2 and 4 in paragraphs 14 and 15, have stated that claim of the petitioners would be taken note of by the respondents. However, it is pleaded that the additional posts in the cadre of DCLR and equivalent are being created by the Revenue and Land Reforms Department for their regular posting who have already been given the charge of higher post of DCLR and equivalent post. Again, in paragraph 6 of the supplementary counter affidavit dated



06.05.2025, it is pleaded that vide order dated 25.04.2025 (Annexure R/1) issued by the Revenue and Land Reforms Department, 185 posts of DCLR and equivalent in Pay Level 11 have been created. It is further pleaded that whether the officers, who have already been granted the charge of higher post of DCLR and equivalent, will be posted on the newly created post of DCLR and equivalent post or not, the information from the Revenue and Land Reforms Department is still awaited.

9 Considering the above stand taken by the Respondent-State, it is quite clear that 185 new posts of DCLR and equivalent posts have already been created by the Respondent-State to accommodate the petitioners as well as the private respondents herein. Even after the creation of the new posts, entire exercise is still pending. The claim of the petitioners has already been admitted by the Respondent-State. The petitioners herein have already got promotion to the post of DCLR but they have not been posted on the said post.

10 Since new posts have already been created by the Respondent-State, therefore, these petitions are disposed of directing the Respondent-State to post the petitioners on the post of DCLR and further the private respondents, who are the



members of the Revenue Cadre, may be adjusted on the newly created post.

11 This exercise will be completed positively within a period of three months from the date of receipt of a copy of this order.

(Arvind Singh Chandel , J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.06.2025
Transmission Date	NA

