

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19696 of 2012

1. Manu Kumar S/O - Shri Ram Pujan Yadav Resident Of Village - Sultanpur, P.O. P.S. - Andar, District - Siwan
2. Rudal Pandit S/O - Late Vishnudeo Pandit Resident Of Village - Hathauri Tola, P.O. - Chhapiya, P.S. - Husainganj, District - Siwan
3. Ram Janam Yadav S/O - Shri Satyanarayan Yadav Resident Of Village - Madhwapur, P.O. - West Hansar, P.S. - Pachrukhi, District - Siwan
4. Balroop Ram S/O - Late Ram Briksh Ram Resident Of Village P.O. P.S. Block - Darauda, District - Siwan
5. Arvind Kumar Yadav S/O - Shri Paras Yadav Resident Of Village - Amwari, P.O. - Nandpur Amwari, P.S. - Raghunathpur, District - Siwan
6. Chuman Tiwari S/O - Late Raghav Tiwari Resident Of Village - Belwasa Mathiya, P.O. - Hussainganj, P.S. - Andar, District - Siwan
7. Ramesh Kumar Patel S/O - Shri Ramashish Patel Resident Of Village P.O. P.S. - Pachrukhi, District - Siwan
8. Subhas Yadav S/O - Late Jagdish Yadav Resident Of Village - Lajeji Tola Mathiya, P.O. - Laheji, P.S. - M.H. Nagar, District - Siwan
9. Vinay Kumar Mishra S/O - Shri Ram Ekbal Mishra Resident Of Village - Nainpura, P.O. - Nainpura, P.S. - Pachrukhi, District - Siwan

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Special Secretary, Department Of Animal Husbandary And Fisheries, Govt. Of Bihar, Patna
3. The Director, Animal Husbandary, Govt. Of Bihar, Patna
4. The District Magistrate, Siwan
5. The District Animal Husbandary Officer, Siwan

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Bharti, Advocate Mr. Vishwa Shri Rajendra, Advocate Mr. Shri Prakash Srivastava, Advocate
For the State	:	Mr. K.P. Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 28-04-2025 Heard Learned Counsel for the petitioners and

 Learned Counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

“I. For quashing of the letter no.6-S.S.



(6)20/2012-2312 dated 30.08.2012 (Annexure-5), by which the Respondent no.2 in contemplation to formal discussion, changed the guideline of selection of Para Wate (पशु मित्र) issued by the Respondent no.3 dated 27.06.2008 bearing letter no.769 (Annexure-1), resulting thereof, the petitioners who were selected as Para Wate (पशु मित्र) and got training, but by the proposed letter no.6-S.S. (6)20/2012-2312 dated 30.08.2012 (Annexure-5), now there is no hope for selection of the petitioners.

II. For quashing of the letter no. 6-S.S. (6)20/2012-2312 dated 30.08.2012 (Annexure-5) by which the Respondent no.2 in contemplation to formal discussion, changed the guideline of selection of Para Wate (पशु मित्र) as the same is per-se illegal, unauthorized and a death blow over the fate and future of the petitioners.

III. For commanding the respondent nos.2 to 4 to select the petitioners in contemplation to the future vacancy notified for appointment of Para Wate (पशु मित्र).

IV. Any other relief or relief for which the petitioners are entitled for.”

3. Learned Counsel for the petitioners submits that the State Government has issued a letter on 27.06.2008 bearing letter no.769 (annexed as Annexure-1) under the signature of



Respondent no.3 for the purpose of selection of Para Wate (पशु मित्र). Counsel submits that the selection was made at the level of Block level Selection Committee and selected person was proposed for training. Counsel submits that the petitioners after selection was sent for training and office of Respondent no.5 issued respective certificates to the petitioners. Counsel further submits that the petitioners were also directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) and accordingly, the said amount was also deposited by the petitioners in the office of the Accountant of the District Animal Husbandry Office, Siwan and the receipt was also provided to the petitioners. Counsel submits that after completion of training, payment of Rs.7,500/- (Rupees Seven Thousand Five Hundred) as stipend was started to the petitioners. Counsel submits that it is admitted that such selection and appointment was on contractual basis and the petitioners' fulfill all the eligibility criteria. Counsel further submits that after some period, a notification/letter dated 30.08.2012 has been issued and the issuance of said notification/letter dated 30.08.2012 is in gross violation due to the reason that with the said letter, additional criteria has been inserted relating to appointment. Therefore, petitioners' have filed the writ petition that when petitioners' appointment has been made on a particular condition then the said condition



cannot be changed after start of the selection process. Counsel submits that due to insertion of the new condition, it become impossible for the petitioners to be selected.

4. Learned Counsel for the State submits that the present matter has been pending before this Court since 2012 and a supplementary counter affidavit has been filed in which the stand has been taken by the State that the appointment of पशु मित्र was only for contractual basis and the said impugned scheme which was sanctioned *vide* letter no.6-S.S.(6)20/2012-2312 dated 30.08.2012 (annexed as Annexure-5) was withheld by the Letter no.1558 (Ni) dated 11.10.2012. It is due to this reason, there is no cause of action left for the petitioners.

5. In this view of the matter that the policy itself has been stopped, then petitioners have no cause of action left. As such, this writ petition is hereby disposed off granting liberty to the petitioners that as and when the said cause of action shall revive to the petitioners, then they shall be at liberty to move before the concerned authority.

(Dr. Anshuman, J)

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