

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4205 of 2024

In
Letters Patent Appeal No.902 of 2012

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Lalo Mandal Son of Late Rameshwar Mandal, Resident of Village Gandaul,
Police Station Maheshi, District Saharsa and presently working as orderly in
the Bihar Legislative Assembly, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Department of Personnel and Administrative Reforms
Department (Now General Administration Department), Government of
Bihar, Patna.
3. Bihar Legislative Assembly, Patna through its Secretary, namely Khayati
Singh.
4. The Secretary, Bihar Legislative Assembly, Patna.
5. The Under Secretary, Bihar Legislative Assembly, Patna namely Ram
Kumar Yadav.
6. Pratima Kumari Wife of Late Chandra Shekhar Prasad Singh, Resident of
Sarempur, New Bye Pass, Ram Krishna Nagar, Sampatchak, Patna, Lower
Division Clerk, Library, Bihar Legislative Assembly, Patna through
Secretary.
7. Birendra Kumar Singh Son of Ramashish Singh, Resident of MIG 127,
Hanuman Nagar, Kankarbagh, Patna, Lower Division Clerk, Accounts
Section, Bihar Legislative Assembly, Patna through Secretary.
8. Satish Das, Lower Division Clerk, Accounts Section Bihar Legislative
Assembly, Patna through Secretary.
9. Dinesh Kumar Yadav, Lower Division Clerk, Incharge Assembly Guest
House through Secretary.
10. Pancha Nand Shah, Lower Division Clerk, Incharge Guest House through
Assembly Secretary.
11. Rambabu Singh, Lower Division Clerk, Question Section, through
Secretary, Bihar Legislative Assembly, Patna.
12. Maha Nand Singh, Lower Division Clerk, Accounts Section, through
Secretary, Bihar Legislative Assembly, Patna.
13. Tapan Kumar, Lower Division Clerk, Accounts Section, through Secretary,
Bihar Legislative Assembly, Patna.
14. Baidya Nath Prasad, Lower Division Clerk, Pension Section through
Secretary, Bihar Legislative Assembly, Patna.
15. Brajesh Kumar, Lower Division Clerk, Accounts Section, through Secretary,
Bihar Legislative Assembly, Patna.
16. Sanjay Kumar Singh, Lower Division Clerk, Accounts Section through
Secretary, Bihar Legislative Assembly, Patna.



17. Chandravir Yadav, Lower Division Clerk, Accounts Section through Secretary, Bihar Legislative Assembly, Patna.
18. Md. Asharaf, Lower Division Clerk, Scheduled Caste/Scheduled Tribe Welfare Committee through Secretary, Bihar Legislative Assembly, Patna.
19. Vinay Kumar Singh, Lower Division Clerk, Establishment Section, through Secretary, Bihar Legislative Assembly, Patna.
20. Himanshu Kumar, Lower Division Clerk, Assurance committee through Secretary, Bihar Legislative Assembly, Patna.
21. Satyendra Kumar Yadav, Lower Division Clerk, Pension Section, through Secretary, Bihar Legislative Assembly, Patna.
22. Santosh Kumar, Lower Division Clerk, Legislative Section, through Secretary, Bihar Legislative Assembly, Patna.
23. Kailash Choudhary, Lower Division Clerk, Issue Section, through Secretary, Bihar Legislative Assembly, Patna.
24. Raju Kumar, Lower Division Clerk, Accounts Section through Secretary, Bihar Legislative Assembly, Patna.
25. Harendra Prasad, Lower Division Clerk, Residential Office of Honble Speaker Null, through Secretary, Bihar Legislative Assembly, Patna.
26. Ramashish Yadav, Lower Division Clerk, Lekha Samagri Section Null, through Secretary, Bihar Legislative Assembly, Patna.
27. Md. Manzoor Alam, Lower Division Clerk, Estimate Section Null through Secretary, Bihar Legislative Assembly, Patna.
28. Arbind Kumar Amar, Lower Division Clerk, Karwahi Section Null through Secretary, Bihar Legislative Assembly, Patna.
29. Arbind Kumar Das, Lower Division Clerk, Public Accounts Section, Secretary, Bihar Legislative Assembly, Patna.
30. Gyaneshwar Prasad Son of Shri Mundrika Prasad, Resident of village-Pasaurha, Police Station- Paliganj, District Patna, at present Peon working in the Bihar Legislative Assembly, Patna.
31. Rohit Choudhary Son of Shri Yogendra Choudhary, Resident of village-Basaitha, Police Station Benipatti, District Madhubani, at present working in the Bihar Legislative Assembly, Patna.
32. Tripuraj Singh Son of Late Prabhu Nath Singh, Resident of village- Harpur Farida, Police Station Taraura, District Saran, at present working as Peon, Bihar Legislative Assembly, Patna.
33. Md. Murtaza Son of Late M. Nabi Jan, Resident of village Padma, Police Station- Ladania, District Madhubani, at present working as Darwan, Bihar Legislative Assembly, Patna.
34. Rajendra Prasad Son of Shri Tanuk Lal Yadav, Resident of village-Bhagwatipur, Police Station- Ladania, District Madhubani, at present working as Peon in the Bihar Legislative Assembly, Patna.
35. Vinay Kumar Son of Late Ram Prasad Mandal, Resident of village- Ganauli, Police Station Andhra Tharhi, District Madhubani, at present working as Orderly, in the Bihar Legislative Assembly, Patna.



36. Sujeet Kumar Son of Late Jagi Singh, Resident of village- Purainia, Police Station Bihta, District Patna, at present working in the Bihar Legislative Assembly, Patna.
37. Jai Narayan Paswan Son of Late Shyama Paswan, Resident of village- Ushfa, Police Station- Gaurichak, District- Patna, at present working in the Bihar Legislative Assembly, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Lal Mani Sharma
For the Opposite Party/s	:	Mr. Government Advocate 5
For the Respondent No. 3 – 5	:	Mr. P.K. Sahi, AG
		Mr. Anurag Saurav, Adv.
		Ms. Sharda Raje Singh, Adv.
		Ms. Prity Kumari, Adv.
		Mr. Abhishek Kumar, Adv.
		Mr. Ankesh Bibhu, Adv.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

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

7 10-07-2025 Heard learned counsel for the petitioner
and learned A.G. for respondents.

2. Today, respondents have filed a Supplementary Show Cause on behalf of Opposite Party No. 3 to 5 along with Annexure R/7 - copy of the chart.

3. Learned A.G. submitted that there is no *iota* of material to the extent that such of those persons name is required to be reflected in the revised select list only if they are permanent employees. To that extent, rule does not stipulate



to qualify - permanent employee. On the other hand, he has pointed out from the Hon'ble Supreme Court decision dated 08.08.2024, paragraph No. 7. It is further clarified that appellants who were in the permanent establishment would also be considered while re-drawing the list. There is no observation that confirmed employee's name is required to be considered. Names reflected in Annexure R/7 even though, they are belatedly confirmed.

4. In the light of these facts and circumstances, there is compliance to the orders of this Court read with the Hon'ble Supreme Court's decision, the present contempt petition stands dropped, reserving liberty to the petitioner to assail the action of the respondents, if so advised.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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