

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2066 of 2024

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1. Shivaji Mishra Son of Rajeshwar Mishra, Resident of C- 74, Census No.- 83. Ashiyana Nagar, A G Colony, P.S.- Shashtri Nagar, District- Patna, Bihar.
 2. Ravi Kumar Son of Jay Nath Pandey, Resident of Matihani Mandir, Matihani, Bara, P.S.- Bodh Gaya, District- Gaya, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Development Commissioner cum Chairman Bihar Watershed Development Society, Bihar at Patna.
3. The Principal Secretary, Department of Agriculture, Bihar at Patna.
4. The Agriculture Production Commissioner cum Vice Chairman Bihar Watershed Development Society, Bihar at Patna.
5. The Project Director cum Chief Executive Officer, Bihar Watershed Development Society, Bihar at Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Kant, Adv. Mr. Praveen Kumar, Adv. Mr. Navin Kumar, Adv.
For the Respondent/s	:	Mr. Rajat Kumar Tiwary, AC to SC-24

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-02-2026 Heard learned counsel for the petitioners and learned counsel for the State.

Re:- I.A. No.01 of 2024

2. Learned counsel for the petitioners submit that the present interlocutory application has been filed under wrong advice, and therefore, he is not pressing the same.

3. Learned counsel for the State has no objection for the same.

4. As such, the present I.A. No.01 of 2024 is hereby dismissed as not pressed.



Re:- C.W.J.C. No.2066 of 2024

The present writ petition has been filed with the following relief/s:-

“That this Writ Application is being filed for issuance of order(s) or direction(s) or writ(s) in the nature of mandamus directing the respondents to pay the Monthly Consolidated Pay with 10% yearly increment from 01.04.2019 to the petitioners who are the employees of the Bihar Watershed Development Society (S.L.N.A.) Bihar which was approved in the Meeting Proceeding dated 23.09.2020 of Governing Board of the Bihar Watershed Development Society, Bihar and/or for issuance of any further order(s) or direction(s) or writ(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the instant case.”

2. Learned counsel for the petitioners submit that it is well known that the petitioners are the outsource employees working for a private organization through whom, petitioners entered in the Government agency to work. He further submits that for the payment of a remuneration to the petitioners, the State Government has taken a policy decision, and the said policy decision has not been implemented. It is due to this reason, the petitioners have grievance and filed the present writ petition.

3. Learned counsel for the State, on the other hand, submits that the agency through which the petitioners started



working, have not been added as party in the writ petition and the petitioners have directly moved before this court and filed the present writ petition. Counsel further submits that there is no direct relationship between the petitioners and the State. The petitioners are employees of an agency to which the State has granted contractual work for a limited period, therefore, the petitioners have no right of action against the State.

4. In this background, this Court is of the view that the petitioners have not impleaded their immediate employer as a party to the writ petition, as such, this Court restrains itself from passing any order on merits.

5. In light of the submissions made, the present writ petition is hereby disposed off, granting liberty to the petitioners to raise whatever grievance they may have only through their employers and not directly against the State, with further liberty to file a writ petition through their immediate employers.

(Dr. Anshuman, J)

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