

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5080 of 2023

1. Ravindra Kumar Sinha Son of Late Ramvilash Pd. Sinha, Resident of Village R.S. Tank, P.O.- Bahadurpur, P.S.- Laheriasarai, District- Darbhanga.
2. Niraj Kumar Singh Son of Krishna Kumar Singh, Resident of Village- Madhaul, P.S. Maniyani, District- Muzaffarpur.
3. Bipin Bihari Sinha Son of Late Ganesh Prasad Verma, Resident of Mohalla- Said Nagar, P.O. Bahadurpur, P.S.- Laherisarai, District- Darbhanga, Retired on 31.03.2018 Extension 31.03.2021
4. Kailash Prasad Singh Son of Late Baijnath Singh, Resident of Village- Bathne, P.O. Rampatti, P.S.- Pandaul, District- Madhubani, retired on 07.06.2017 Extension March 2021
5. Krishna Kumar Singh Son of Late Mahavir Singh, Resident of Village- madhaul, P.S.- Maniyari, District- Muzaffarpur, retired on 30-06-2016, Extension March 2021.
6. Md. Israfil Son of Md. Makbul Nadaf, Resident of Village- Ujani, P.S. Naugachhia, District- Bhagalpur.
7. Premchand Pandit Son of Babulal Pandit, Resident of Village- Allapur, P.S. Pachraukhi, District- Siwan.
8. Jagannath Prasad Son of Ramavtar Prasad, Resident of Village- padrauna, Lomi, Chaur, P.S. Bhore, District- Gopalganj. Retirement dated 30.08.19, Extension 31-03-2021.
9. Pankaj Kumar Singh Son of Krishna Kumar Singh, Resident of Village- Madhaul, P.S. Maniyari, District- Muzaffarpur.
10. Khushichand Sah Son of Tengri Sah, Resident of Village- Rajandih, P.S. Rajpur, District- Rohtas.
11. Chandeshwary Chauddhary Son of Bhauali Choudhary, Resident of Village- Bramha Asthan, Kamalpur, P.S. Baruraj, District- Muzaffarpur. Retired
12. Dharam Nath Singh Son of Vinda Singh, Resident of Mithanpura, P.S. Baruraj, District Muzaffarpur. Retired.
13. Umesh Prasad Singh Son of Laxmi Narayan Singh, Resident of Village- Badalpura, P.S. Matihani, District- Begusarai. Retired.
14. Raghubir Raghwan Son of Phaujgarsah, Resident of Village- Pakri, P.S. Baruraj, District- Muzaffarpur.
15. Arti Devi Wife of Ram Binjay Jha, Resident of Rajipatra Bazar, P.S. Muffasil, District- Purnea.
16. Rakesh Kumar Jha Son of Shyamal Kishore Jha, Resident of Mohalla-Sipahi Tola, P.S. Purnea Sadar, (K.Hat) District- Purnea.
17. Ram Narayan Lal Karn Son of Lakshmilal, Resident of Bhagirath Patti, P.S. Basopatti, District Madhubani. Retired.
18. Ramsanehi Ray Son of Ram Kumar Bhakt, Resident of Ward No. 6, Balbhadrapur, P.S. Muffasil, District- Samastipur.
19. Ramchandra Sahni Son of Rajendar Kapar, Resident of Bisunchitipur P.S.



Kanti, District- Muzaffarpur.

20. Upendra Kumar Son of Namdhari Ram, Resident of Machhager Jagdish, Machhayar Patti, P.S. Hathua, District. Gopalganj.
21. Sakaldev Mandal Son of Bihari Mandal, Resident of village Gosaitolla, P.S. Gayghat, District Muzaffarpur.
22. Mithilesh Kumar Thakur Son of Late Nagendra Thakur, Resident of Village Chandi, P.O. Ranipatra, P.S. Muffasil Purnea, District- Purnea.
23. Kedar Nath Dutt Son of Late Triveni Kant Dutt, Resident of Village Adrhawar, P.S. Basopati, District- Madhubani.
24. Nand Khsore Yadav Son of Late Arjun Yadav, Resident of Village Kursela, P.S. Kursela, District. Katihari.
25. Abhay Kumar Son of Jamun Rajak, Resident of Mohalla- Gosai Tola, P.S. Patliputra, District. Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reform, Govt. of Bihar, Patna.
3. The Director, Land Acquisition-cum-Additional Secretary, Revenue and Land Reform, Govt. of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
5. The Bihar Bhoodan Yagya Committee, through its Chairman-cum-Member, Board of Revenue, Govt. of Bihar, Patna.
6. The Secretary, Member Board of Revenue, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sarbottam Kumar Sarkar, Advocate
For the Respondent/s	:	Mr. Birendra Pd. Singh, AC to SC-19
For the Committee	:	Mr. Manish Kumar, Advocate Mr. Rajnikant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 29-06-2026 Heard the parties.

2. The present petition has been preferred for the following relief(s):

“(i) For quash the Letter No. 630 dated 13.07.2022 issued by the Director,



Land Acquisition cum Additional Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna whereby and whereunder he has been pleased to reject the demand made for release of grant in aid for payment of employees of Bhoodan Yagya Committee and other legal expenses for financial year 2010-2011 to sum of Rs. 7,43,54,004/-.

(ii) To quash the part of the aforesaid letter by which decision has been taken to release of Rs. 1,31,49,000 + 1,31,49,000 2,62,98,000/- for payment of salary of Employment and meet other legal expenses of Bhoodan Yagya Committee for financial year 2019-2020 and 2020-2021.

(iii) To quash the part of the aforesaid letter by which decision has been taken to release only Rs. 1,31,49,000/- for current financial year whereas demand has been made of Rs. 2,45,43,644/-.

(iv) To quash the part of aforesaid letter by which claim for payment of Provident Fund of Provident Fund Travelling Allowance and Gratuity for employee of Bhoodan Yagya Committee which have also been rejected.

(v) To give order/direction commanding the Respondent Authorities to release the grant in aid for financial year 2010-2011 to 2017-2018 alongwith payment



of provident Fund Aid of Provident Fund and Gratuity of Employees of Bhoodan Yagya Committee which have not been paid to them.

(vi) To give order/direction commanding the Respondent Authorities also to release the granting aid to the Bhoodan Yagya Committee for financial year 2018-2019 2019-2020, 2020-2021, 2021-2022 and for financial year 2022-2023 as requisitioned by the Secretary, Board of Revenue for payment of Employees of Bhoodan Yagya Committee and other expenses of the said committee and other expenses of the said Committee so that the work of the office of Bhoodan Yagya Committee can be properly managed and employees of the committee be also paid regularly.

(vii) To give order/direction to the Respondent Authorities to make payment of salary which is due from November 2018. Particularly when the Bhoodan Yagya Committee was dissolved and it was merged with the office of Board of Revenue and some of petitioners have been regularly working as on employee of State and same of petitioners have been retired from his service.

(viii) To given order/direction to



the Respondent Authorities to make payment of Provident Fund grant in aid, Travelling allowance and also gratuity to the petitioners for the aforesaid financial year which have also due from the said financial year.

(ix) To give any other writ, order, direction to the respondents for which the petitioners are found entitled under the facts and circumstances of this case.”

3. A counter-affidavit has come on behalf of the respondents annexing the Division Bench order of the Patna High Court in **MJC No. 2473 of 2017 (Bihar Bhoodan Yagna Committee vs. The State of Bihar & Ors.)** as also **LPA No. 505 of 2016 (Bihar Bhoodan Yagna Committee vs. The State of Bihar & Ors.)** disposed of on **01.05.2017** and it would be appropriate to incorporate relevant part of the said order as follows:

“We have heard learned counsel for the parties at length and we have also gone through the Bhoodan Yagna Act and the regulations framed therein and we do not find nor has any statutory provision, rule or regulation been brought to our notice which mandates, under law, the State



Government to make payment of salary or any grant to the Committee. On the contrary, a co-ordinate Bench of this Court in the case of Badrinarayn (supra) has held after taking note of various provisions of the Bihar Bhoodan Yagna Act, 1954 that the State Government is not liable to pay salary or any grant to the Committee and, therefore, we are of the considered view that no mandamus can be issued to the State Government in the absence of there being any statutory or constitutional provision mandating the State Government to pay any grant or salary to the employees of the Committee. It is for the State Government to consider payment of grant-in-aid and to facilitate granting financial assistance to the Committee and it is for the Committee to seek assistance from the State Government in the absence of there being any statutory provision, mandamus cannot be issued by this Court for grant of any financial assistance, grant or salary to the employees.”

4. Once the Appellate Court has decided that the State



Government is not liable to make any payment of salary, there is no question of any direction to be issued by the Writ Court.

5. In that background, the writ petition stands disposed of having found no merit in the case and in light of the earlier order passed by the Appellate Court.

(Rajiv Roy, J)

Adnan/-

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