

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5980 of 2020

1. Surya Mohan Yadav S/o Satya Narayan Yadav R/o Village baradari Ratanpur Kot Devi Mandir Marg, P.s.- Bhagwan Bazar, District Saran at Chapra
2. Upendra Kumar Yadav, S/o Satan Yadav, R/o Village Sadiha, P.s.- Bhagwanpur Hat, District- Siwan
3. Sumit Kumar S/o Meghnath Ray R/o Village Rasalpura, P.s.- Doriganj, District- Saran at Chapra
4. Chandan Kumar S/o Birendra Kumar R/o Ranja P.s.- Nagar, District- Saran at Chapra
5. Roushani Kumari D/o Birendra Sharma R/o Behind Bazar Samti Uma Nagar Surha P.s. Town District- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
3. The Director, Municipality Administration cum Additional Secretary, Urban development and Housing Department, Govt. of Bihar, Patna
4. The Deputy Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
5. The Chapra Municipal Corporation Municipality Chowk, Saran at Chapra through the Municipal Commissioner
6. The Municipal Commissioner, Chapra Municipal Corporation, Municipality Chowk, Saran at Chapra

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6411 of 2020

1. Vir Bahadur Singh Son of Yogendra Singh, Resident of Village-Nayka Barka Baiju Tola, Police Station-Revilganj, District-Saran at Chapra.
2. Rajnikant, Son of Subh Narayan Dwivedy, Resident of Village-Bishunpura, Police Station-Jalalpur, District-Saran at Chapra.
3. Amit Kumar, Son of Vijay Kumar, Resident of Village-Salapataganj Gudari Bazar, Police Station-Bhagwan Bazar, District-Saran at Chapra.
4. Makurdhwaj Prasad, Son of Ramdeo Prasad, Resident of Shamshuddin High School Chowk, Police Station-Revilganj, District-Saran at Chapra.
5. Barun Kumar Yadav, Son of Hiralal Yadav, Resident of Revilganj, Police Station-Revilganj, District-Saran at Chapra.
6. Parmeshwar Kumar, Son of Suraj Prasad, Resident of Village-Balia Devpura, Police Station-Rasulpur, District-Saran at Chapra.
7. Moti Lal Ray, Son of Bharat Ray, Resident of Village-Bhushaw, Police Station-Baniapur, District-Saran at Chapra.



8. Md. Muslim, Son of Late Abbas Mali, Resident of Samsuddinpur, Police Station-Revilganj, District-Saran at Chapra.
9. Pankaj Kumar Yadav, Son of Bhrigunath Yadav, Resident of Village-Laxmipur Deoria, Police Station-Revilganj, District-Saran at Chapra.
10. Bablu Chaudhari, Son of Dhrub Chaudhari, Resident of Village-Nayka Tola, Police Station-Revilganj, District-Saran at Chapra.
11. Bijesh Kumar Gupta, Son of Suresh Sah, Resident of Kachnar, Police Station-Revilganj, District-Saran at Chapra.
12. Ram Kumar Yadav, Son of Raghunath Ray, Resident of Village-Godna, Police Station-Revilganj, District-Saran at Chapra.
13. Prabhu Ray, Son of Late Shankar Ray, Resident of Village-Samsuddipur, Police Station-Revilganj, District-Saran at Chapra.
14. Md. Naushad, Son of Md. Muslim, Resident of Village-Ramsuddipur, Police Station-Revilganj, District-Saran at Chapra.
15. Amar Nath Mahto, Son of Rajendra Mahto, Resident of Ward No. 7, Revilganj, Police Station-Revilganj, District-Saran at Chapra.
16. Supan Ray, Son of Late Baidhnath Ray, Resident of Ward No. 7, Samsuddinpur, Police Station-Revilganj, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
3. The Deputy Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
4. The Nagar Panchayat, Revilganj, Revilganj Bazar, Revilganj, Saran at Chapra through Executive Officer.
5. The Executive Officer, the Nagar Panchayat, Revilganj, Revilganj Bazar, Saran at Chapra.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 5980 of 2020)

For the Petitioner/s : Mr.Harsh Anuj, Adv.

For the Respondent/s : Mr.Subash Prasad Singh, GA 3

Mr. Indeshwari Prasad Mandal, AC to GA 3

(In Civil Writ Jurisdiction Case No. 6411 of 2020)

For the Petitioner/s : Mr.Harsh Anuj, Adv.

For the Respondent/s : Mr.Subash Prasad Singh, GA 3

Mr. Indeshwari Prasad Mandal, AC to GA 3

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 22-06-2026

Heard Mr. Harsh Anuj, learned Advocate for the



petitioners and Mr. Indeshwari Prasad Mandal, learned Advocate for the State.

2. Considering the materials available on record as also on consensus and the submissions advanced by the learned Advocates for the rival parties that both the writ petitions are one and identical, the same are being heard together and disposed off by this common order.

3. In both the writ petitions, the challenge has been made to Letter No. 485 dated 04.02.2020 issued under the Signature of the respondent-Deputy Secretary, Urban Development and Housing Department, Government of Bihar, Patna. By the order impugned, the respondent No. 4 directed all the Municipal Commissioners of respective Municipal Corporation and the Executive Officers of Nagar Parishad and Nagar Panchayat to incorporate the conditions contemplated in letters while seeking service of outsourcing agencies for the purpose of maintenance of the City on the ground that if the petitioners were already engaged as daily wager by the Municipal Corporation against the sanctioned and vacant post and they have been working as such since last several years, they cannot be compelled to seek their employment as a daily wager through outsourcing agency. The challenge has also been



made to the order dated 29.06.2018 issued under the authority of the Director, Municipality Administration-cum-Additional Secretary, Urban Development and Housing Department, Government of Bihar, Patna by which at Clause 'Ga' all the Municipal Corporations in the State of Bihar, except Patna Municipal Corporation, are authorized to take different kinds of services from the outsourcing agency, which ought not to make applicable to the case of the petitioners.

4. Various submissions have been made while assailing the impugned order and it is finally submitted that during the pendency of the present writ petition, the Bihar Local Bodies Employees Federation has approached this Court in CWJC No. 5713 of 2020 which came to be disposed of on 21.10.2022. Aggrieved, the State has preferred Civil Appeal bearing No. 1456 of 2023 which also stood disposed of and as such in the light of the subsequent development and the orders/judgments having been passed by this Court as well as the Apex Court, the petitioners unanimously seek permission to approach before the authority concerned along with all relevant and necessary documents for ventilating their grievances.

5. Learned Advocate for the State though supported the impugned order, however, has not confronted with the



prayer of the petitioners to the extent they seek liberty to approach before the authority concerned in view of the subsequent development, which took place during the interregnum period.

6. Having considered the submissions advanced and the limited grievance of the petitioners, this Court deems it apt and proper to dispose off the writ petitions with liberty to the petitioners to approach the respondent Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna, preferably within a period of four weeks from today along with all the relevant order(s)/ Judgment(s)/ document(s). In case such representation is/are filed, the same shall be either considered by himself or referred to the concerned respondents who shall consider the claim of the petitioners and pass a reasoned and speaking order, in accordance with law, preferably within a further period of eight weeks.

7. With the aforesaid observations and direction, both the writ petitions stand disposed off.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.06.2026
Transmission Date	

