

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9480 of 2024

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1. Amrendra Kumar Ojha Son of Devendra Ojha, Resident of Village Ojhewaliya, P.S. Phulwariya, District - Gopalganj.
 2. Prashant Kumar, Son of Baleshwar Prasad Yadav, Resident of Village - Ragnathpur, P.S. Nadwan, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Law Department, Government of Bihar, New Secretariat, Patna.
2. The Registrar General, Patna High Court, Patna.
3. The Registrar-cum-Judge Incharge, Civil Court, Siwan.
4. The District and Sessions Judge, Siwan.
5. The 1st Additional District and Sessions Judge-cum-Chairman, Civil Court, Siwan.
6. The Sub-Judge-III-cum-Member, Screening Committee, Civil Court, Siwan.
7. The Sub-Judge-XIII-cum-Member, Screening Committee, Civil Court, Siwan.
8. Sri Prabhat Kumar Srivastava, aged about 45 years, Gender Male, Clerk, Civil Court, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Standing Counsel (18)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ petition has been filed for the
following reliefs:-

*(i) To issue an appropriate writ in
the nature of writ of certiorari for quashing*



the decision of Screening Committee held on 27.11.2018 at 1.35 PM in the Chairmanship of 1st Additional District & Sessions Judge, Siwan for discussion on the matter of amendment in the gradation list of Class-III Employees of Siwan Judgeship and the committee is of considered view that the regularization of their service be treated either from the date of order No. 214A/2012 dated 20.12.2012 of the District & Sessions Judge, Siwan or from the date of issuance of letter No. 533/J dated 18.10.2012 of Law Department, Government of Bihar, Patna. According Committee held that it would be appropriate to consider the regularization of Service of Sri Prashant Kumar and Sri Amrendra Kumar Ojha Clerks with effect from the date of issuance of letter No. 533/J of Law Department i.e. 18.10.2012 and their name should find place in the gradation list of Permanent General Cadre of Class-III Employees meaning thereby the aforesaid both employees will be placed at SI. No. 105 and 106 of the gradation list dated 04.05.2013.

(ii) To issue an appropriate writ in the nature of writ of certiorari for quashing/setting aside the order No. 101A/2019 passed on 25.05.2019 by the learned District & Sessions Judge, Siwan in



view of recommendation of Screening Committee Civil Court, Siwan besides the applications of Sri Rakesh Chandra Tiwari and Sri Prabhat Kumar Srivastava, Clerks, Civil Court, Siwan for amendment in the gradation list of Permanent General Cadre of Class-III Employees (Clerk) of Siwan Judgeship whereunder and whereby the learned District & Sessions Judge ordered that necessary amendments be made in gradation list of Permanent General Cadre of Class-III Employees (Clerks) and the name of Sri Amrendra Kumar Ojha and Sri Prashant Kumar, Clerks be added in the said list with effect from 18.10.2012 as recommended by the Screening Committee Civil Court, Siwan.

(iii) To pass such other order/orders, direction/ directions as your Lordships may deem fit and proper in the facts and circumstances of the case.

3. Learned counsel for the petitioners submits that he shall be satisfied only when the pending representation is disposed of.

4. Learned counsel for the State submits that a direction may be issued to the concerned authority for the disposal of the representation.



5. In view of the above, this Court, without entering into the merits or demerits of the case, directs the District & Sessions Judge, Siwan (respondent No. 4), to dispose of the petitioners’ representation, annexed as Annexure-P/9, within 90 days from the date of receipt/production of this order.

(Dr. Anshuman, J.)

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