

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1086 of 2023
In
Civil Writ Jurisdiction Case No.2544 of 2020

1. Rajdeo Das (M), aged about 53 years, Son of Rameshwar Das, Resident of Village- Bagwar, P.O.- Suganwan, P.S.- Makhdumpur, District- Jehanabad.
2. Arvind Pandey (M), aged about 56 years, Son of Yamuna Pandey, Resident of Village and P.O.- Neuri, P.S.- Belaganj, District- Gaya.
3. Ramjeet Das (M), aged about 56 years, Son of Nageshwar Das, Resident of Village and P.O.- Kalpa, P.S.- Jehanabad, Distt- Jehanabad.
4. Siddhnath Prasad (M), aged about 54 years, Son of Mudrika Prasad, Resident of Village- Mira Bigha, P.O.- Bara, P.S.- Gaya, District- Gaya.
5. Devendra Das (M), aged about 54 years, Son of Birju Das, Resident of Village and P.O.- Dharaut, P.S.- Makhdumpur, District- Jehanabad.
6. Sunil Kumar (M), aged about 55 years, Son of Uma Shankar Singh, Resident of Mohalla- Lakhibagh Manpur Gaya P.S.- Muffasil, District- Gaya.
7. Manoj Kumar (M), aged about 49 years, Son of Ranjeet Raut, Resident of Village- Elara, P.O.- Cherki, P.S.- Bodh Gaya, District- Gaya.
8. Lalan Pd. Pandit (M), aged about 48 years, Son of Basudeo Prasad Pandit, Resident of Mohalla- Katari Hill, Kumhar Toli, P.O.- Gaya, P.S.- Chandaui, District- Gaya.
9. Sindhu Kumar (M), aged about 53 years, Son of -Somar Ravi Das, Resident of Village- Kastha, P.O.- Solara, P.S.- Paraiya, District- Gaya.
10. Urmila Kumari (F), aged about 49 years, Wife of Manoj Rajak, Resident of Mohalla- Chand Chaura, P.O.- Chand Chaura, P.S.- Civil Line, District- Gaya.
11. Nilam Kumari (F), aged about 49 years, W/o Jay Raj Kumar, Resident of Village- Baradih, P.O.- Baragandhar, P.S.- Muffasil, District- Gaya.
12. Jayanti (F), aged about 49 years, Wife of Sunil Kumar Goswami, Resident of Mohalla- Bhusanda, P.O.- Nawranga, P.S.- Muffasil, District- Gaya.
13. Suresh Prasad (M), aged about 54 years, Son of Janki Bhagat, Resident of Mohalla- Dighi Talab, P.O.- Gaya, P.S.- Civil Line, District- Gaya.
14. Shiv Kumar Paswan (M), aged about 53 years, Son of Mungeshwar Paswan, Resident of Village- Hamjapur, P.O.- Sherghati, P.S.- Amas, District- Gaya.
15. Ravindra Kumar Pandey (M), aged about 56 years, Son of Sukhdev Pandey, Resident of Mohalla- Narain Chulha, P.O.- Chand Chaura, P.S.- Vishnupad, District- Gaya.
16. Mahesh Prasad (M), aged about 56 years, Son of Narayan Das, Resident of Mohalla- Bageshwari Sthan, P.O.- R.S. Gaya, P.S.- Delha, District- Gaya.
17. Umashankar Singh (M), aged about 50 years, Son of Firangi Singh, Resident



of Village- Dubhal, P.O.- Gaya P.S.- Magadh Medical, District- Gaya.

18. Siyaram Singh (M), aged about 51 years, Son of Jagdeo Singh, Resident of Village- Balagardh, P.O.- Anandpur, P.S.- Rampur Chauram, District- Arwal.
19. Munni Lal (M), aged about 53 years, Son of Prasadi Mochi, Resident of Village- Lalse Bigha, P.O.- Bharthua, P.S.- Kako, District- Jehanabad.
20. Munna Paswan (M), aged about 48 years, Son of Raj Kumar Paswan, Resident of Village- Baradih, P.O.- Bara Gandhar, P.S.- Muffasil, District- Gaya.
21. Uday Yadav, (M), aged about 55 years, Son of Dhannu Yadav, Resident of Mohalla- Imaliyachak, P.O.- Rampur, P.S.- Gaya, District- Gaya.
22. Savitri Sharma (F), aged about 49 years, Wife of Surendra Thakur, Resident of Village- Kharauna, P.O.- Dakra, P.S.- Makhdumpur, District- Jehanabad.
23. Kanchan Kumari (F), aged about 48 years, Wife of Om Prakash Azad, Mohalla- Bageshwari Gumti, P.O.- Railway Station, P.S.- Delha, District- Gaya.
24. Prakash Kumar (M), aged about 54 years, Son of Panchu Manjhi, Resident of Mohalla- Bhatbiga Katari Hill Road Gaya, P.O.- Gaya, P.S.- Rampur, District- Gaya.
25. Ravindra Kumar (M), aged about 57 years, Son of Rajeshwar Singh, Resident of Mohalla- Bangla Sthan Chitraguptra Nagar, P.O.- Railway Station- P.S.- Kotwali, District- Gaya.
26. Krishna Dev Singh (M), aged about 56 years, Son of Raghunandan Singh, Resident of Village-Shahwajpur, P.O.- Earki, P.S.- Belaganj, District- Gaya.
27. Sri Kant Ram (M), aged about 49 years, Son of Rishi Ram, Resident of Village- Mahuabagh, P.O.- Sarta, P.S.- Parasbiga, District- Jehanabad.
28. Neelam Kumari (F), aged about 49 years, W/o-Yugal Kishor Sharma, Resident of Village- Manpur Bazar Near Manokamna Mandir, P.O.- Buniyadganj, P.S.- Buniyadganj, District-Gaya.
29. Sujata (F), aged about 49 years, W/o- Raj Kumar Ray, Resident of Mohalla- Bhikhanpur Bhatta Road Bishari Asthan Gumtin No. 2, P.O.- Dshak Bhagalpur, P.S.- Kotwali Bhaghalpur, District- Bhagalpur.
30. Bhushan Prasad (M), aged about 55 years, Son of Rajnandan Yadav, Resident of Village- Kurua, P.O.- Jaytipur Kurua, P.S.- Ghoshi, District- Jehanabad.
31. Sushil Kumar Choudhary (M), aged about 52 years, Son of Sidhnath Choudhary, Resident of Mohalla- Maula Bagh Harijan Vidyalay, Ara, P.O.- Ara, P.S.- Navada, District- Bhojpur.
32. Raj Kumar (M), aged about 55 years, Son of Chandrika Roy, Resident of Mohalla- Akopur, P.O.- Janipur, P.S.- Sorampur, District- Patna.
33. Bijay Kumar Choudhary (M), aged about 49 years, Son of Lala Choudhary Resident of Mohalla- Chakbrinda, P.S.- Gardanibagh, P.O.- Anisabad, District- Patna.

... .. Appellants



Versus

1. The State of Bihar through the Chief Secretary Bihar, Patna.
2. The Principal Secretary, General Administrative Department, Govt. of Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Gaya.
5. The District Magistrate-Cum-Chairman, Selection Committee Group "D", Posts Gaya.
6. The Additional Collector, Gaya.
7. The District Development Commissioner, Gaya.
8. The Deputy Collector, Establishment, Gaya,.
9. Then District Welfare Officer, Gaya.
10. The Civil Surgeon-Cum- The Chief Medical Officer, Gaya.
11. The Additional Chief Medical Officer, Gaya.
12. Uma Kumari (F), aged about 52 years, W/o Rajesh Kumar, Resident of Mohalla- R.S.S. Delha Bageshwari Road, P.O.- Delha, P.O.- Railway Station, P.S.-Delha, District- Gaya.
13. Rekha Devi (F), aged about 53 years, W/o-Binod Kumar Chaudhary, Resident of Mohalla- Laluchak Kali Asthan Ishakchak, P.O.- Ishakchak, P.S.- Bhagalpur, District- Bhagalpur.

... .. Respondents

Appearance :

For the Appellants : Mr. Siya Ram Shahi, Advocate, Mr. Abhishek Raj Kashyap, Advocate and Shally Kumari, Advocate
For the State : Mr. Saroj Kumar Sharma, A.C. to A.A.G.-3.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

7 17-06-2026 Heard learned counsel for the appellants and learned
counsel for the State.

2. The present *intra court* appeal has been preferred
under Clause X of Letters Patent of Patna High Court Rules,
against the judgment and order dated 22.08.2023 passed by the



learned Single Judge in C.W.J.C. No. 2544 of 2020, whereby the writ application preferred by the writ petitioners (appellants herein) came to be dismissed.

3. Learned counsel for the appellants confines his prayer and submits that case of the appellants be considered by Respondent no. 4, the District Magistrate, Gaya, in light of the order passed in L.P.A. No. 121 of 2020, whereby similarly situated persons have already been extended the benefit by the respondent-State.

4. Considering the aforesaid submission, the appellants are directed to file a fresh representation/application before Respondent no. 4, the District Magistrate, Gaya, if not already filed.

5. Upon receipt of such representation/application, Respondent No. 4, the District Magistrate, Gaya, shall consider the claim of appellants and pass an appropriate reasoned order, in accordance with law, after affording an opportunity of hearing to the appellants.

6. In case the appellants found to be similarly situated to the beneficiaries of the order passed in L.P.A. No. 121 of 2020, the consequential benefits shall also be extended to them.

7. Let the entire exercise be completed preferably



within a period of three months from the date of receipt of the representation/application.

8. With the aforesaid directions, the present *intra court* appeal stands disposed of.

9. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, J)

(Ranjan Kumar Jha, J)

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