



2026:PATHC:42327

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6801 of 2026

Rakesh Roshan Son of Shri Shiv Nath Shahi, Resident of G-24 Prem Nikunj,
Road No 02, Vijay Nagar, Hanuman Nagar, PS.- Patrakarnagar, District -
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Secretary, Department of Tourism, Government of Bihar, Old Secretariat, Patna.
3. The Chairman, Bihar State Tourism Development Corporation Ltd., Beerchand Patel Path, Patna.
4. The Managing Director, Bihar State Tourism Development Corporation Limited, Beerchand Patel Path, Patna.
5. The General Manager, Bihar State Tourism Development Corporation Limited, Patna, Bihar.
6. The Deputy General Manager (Finance and Accounts), Bihar State Tourism Development Corporation Limited, Patna, Bihar.
7. The Manager (Administration), Bihar State Tourism Development Corporation Limited, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Amit Pandey, Advocate
For the State	:	Ms, Binita Singh, SC-28
Fro BSTDC	:	Ms. Anukriti Jaipurkar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 04-05-2026

Heard counsel for the petitioner, learned counsel for the State and learned counsel for the Bihar State Tourism Development Corporation.

2. The present writ petition has been filed for the following relief/s :-





“(i) For issuance of an order (s) / direction (s) or writ(s) in the nature of Mandamus commanding the Respondents to regularize/absorb the services of the Petitioner against a sanctioned vacant post, in view of his continuous, uninterrupted service of more than 21 years pursuant to a valid selection process, and in light of the law laid down by the Hon’ble Supreme Court in Bhola Nath vs State of Jharkhand (2026); And/or

(ii) For issuance of an order (s) /direction (s) or writ(s) in the nature of Mandamus directing the Respondents to grant the Petitioner continuity of service with effect from his initial engagement, along with all consequential service benefits including seniority, increments, retiral benefits and all attendant advantages. And/or

(iii) For issuance of an appropriate writ, order or direction directing the respondents to grant petitioner proper pay scale of \$9300-34800 with Grade Pay \$5400/-, along with arrears, on the principle of “equal pay for equal work”, particularly in view of Memo No. 92/16 dated 25.04.2016 wherein the Petitioner has already been recognized at Serial No. 75. And/or;

(iv) For issuance of an appropriate writ, order or direction directing the respondents directing the Respondents to extend to the Petitioner the benefit of parity with similarly situated employees, including those who have been granted relief vide Memo No. 86/18 dated 03.07.2018 and Office Order No. 170/25 dated 20.05.2025, and not to discriminate against the Petitioner; And/or





(v) A direction be issued upon the respondent authorities, each on of them, their servants and/or subordinates and/or agents to forthwith produce and/or caused to be produced the entire records relating to the Petitioner's case and on such production being made, render conscionable justice upon perusing the same; And/or

(vi) For issuance of any further order (s) / direction (s) or writ(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the instant case."

3. Learned counsel for the petitioner submits that for redressal of his grievance, the petitioner had earlier filed a representation before the Managing Director, Bihar State Tourism Development Corporation Limited. It is contended that similarly situated persons have already been granted relief by this Hon'ble Court in CWJC No. 1939 of 2022, which has subsequently been affirmed in LPA No. 1085 of 2024. Learned counsel further submits that the case of the present petitioner is squarely covered by the aforesaid decisions, and on that basis, he is entitled to the same relief in the present writ petition.

4. Learned counsel for the respondents, however, opposes the submission and contends that no such specific prayer seeking parity with CWJC No. 1939 of 2022 and LPA





No. 1085 of 2024 has been made in the writ petition. It is submitted that the petitioner has instead relied upon the case of *Bhola Nath vs. State of Jharkhand 2026 (0) INSC 99*, and therefore, the relief now being sought cannot be granted in the absence of an appropriate pleading. It is further submitted that the petitioner may be directed to file a fresh representation before the competent authority for redressal of his grievance.

5. In the aforesaid background, the petitioner is directed to file a fresh representation before respondent No. 4, namely, The Managing Director, Bihar State Tourism Development Corporation Limited, along with a copy of this order, within 30 days from today. Upon receipt of the representation, the respondent No.4, is directed to take a decision on the said representation within 90 days from the date of its filing, with a reasoned and speaking order.

6. With the aforesaid observation and direction, the writ petition stands disposed off.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	05.05.2026
Transmission Date	<u>NA</u>

