

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5627 of 2020

Veera Yadav, Petitioner/s
Versus
The Chief Secretary, Government of Bihar, Respondent/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate
For the Respondent/s : Mr. Ajay (G.A. 5)
For U.O.I. Mr. Dr. K.N. Singh, ASGI
Mr. Ratnesh Kumar, CGC
For C.S.B.C. Mr. Sanjay Pandey, Advocate
Mr. Binod Kr. Mishra, Advocate
Mr. Vivek Anand Amritesh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

20 09-03-2021

I.A. No.4 of 2021

The applicant does not press the present I.A.,
reserving liberty to file afresh, if so required and desired.

I.A. No.4 of 2021 is, accordingly, disposed of with the
liberty aforesaid.

C.W.J.C. No. 5627 of 2020

Perhaps, the limited issue which arises for
consideration is as to whether benefit of the provisions of the
Transgender Persons (Protection of Rights) Act, 2019 would be
applying to the transgenders for seeking appointment in the
State of Bihar. We are informed that such benefit stands
accorded for recruitment of Constables/Inspectors, Home
Department. In fact, considering the total population of the



transgender community in Bihar, which is 0.039% (Approximately 39,000 and odd), perhaps, the Government may consider conferring similar benefit with respect to other Departments.

A decision in the affirmative would not only uplift the lifestyle and education of the persons, but also going to be a correct step in bringing them into the mainstream. Perhaps, at this point in time, there may not be very many persons to be even eligible to apply. But then, such benefit would only inspire persons from such community to undertake education and to become eligible for appointment to such posts. May be, reservation on regular basis can be confined upto O.B.C. category for transgenders. But then, that is a decision which the Government has to take.

As such, we adjourn the matter to enable the State to take a decision and file an affidavit.

List on 13th April, 2021.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS-

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